A

# DISCOURSE

OF THE

## *Conteſts* and *Diſſenſions*

BETWEEN THE

## NOBLES and the COMMONS

IN

## *ATHENS* and *ROME*,[1]

WITH THE

Conſequences they had upon both thoſe

# STATES.

———*Si tibi vera videtur*
*Dede manus; & ſi falſa eſt accingere contra.* Lucret.[2]

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# CHAP. I

'Tis agreed that in all Government there is an absolute unlimited Power, which naturally and originally seems to be placed in the whole Body, wherever the Executive Part of it lies. This holds in the Body natural; For wherever we place the beginning of Motion, whether from the Head, or the Heart, or the animal Spirits in general, the Body moves and acts by a Consent of all its Parts. This unlimited Power placed fundamentally in the Body of a People, is what the Legislators of all Ages have endeavour'd in their several Schemes or Institutions of Government, to deposite in such Hands as would preserve the People from Rapine and Oppression within, as well as Violence from without. Most of them seem to agree in this, that it was a Trust too great to be committed to any one Man or Assembly, and therefore they left the Right still in the whole Body, but the Administration or Executive part, in the hands of *One*, the *Few*, or the *Many*, into which three powers all independent Bodies of Men seem naturally to divide; for by all I have read of those innumerable and petty Commonwealths in *Italy*, *Greece*, and *Sicily*, as well as the great ones of *Carthage* and *Rome*; it seems to me, that a free People met together, whether by *Compact* or *Family Government*, as soon as they fall into any Acts of Civil Society, do of themselves divide into three Powers. The first is that of some one eminent Spirit, who having signalized his Valour and Fortune in Defence of his Country, or by the Practice of popular Arts at home, becomes to have great Influence on the People, to grow their Leader in Warlike Expeditions, and to preside, after a sort, in their Civil Assemblies: And this is grounded upon the Principles of Nature and common Reason, which

in all Difficulties or Dangers, where Prudence or Courage is required, do rather incite us to fly for Counsel or Assistance to a single Person than a Multitude. The second natural Division of Power, is of such Men who have acquired large Possessions, and consequently Dependances, or descend from Ancestors who have left them great Inheritances, together with an Hereditary Authority. These easily uniting in Thoughts and Opinions, and acting in Concert, begin to enter upon Measures for securing their Properties, which are best upheld by preparing against Invasions from abroad, and maintaining Peace at home: This commences a great Council or Senate of Nobles for the weighty Affairs of the Nation. The last Division is of the Mass or Body of the People, whose Part of Power is great and undisputable, whenever they can unite either collectively or by Deputation to exert it. Now the three Forms of Government so generally known in the Schools, differ only by the Civil Administration being placed in the Hands of One, or sometimes Two (as in *Sparta*) who were call'd *Kings*, or in a Senate, who were call'd the *Nobles*, or in the People Collective or Representative, who may be called the *Commons*: each of these had frequently the Executive Power in *Greece*, and sometimes in *Rome*: but the Power in the last Resort was always meant by Legislators to be held in Balance among all three. And it will be an eternal Rule in Politicks among every free People, that there is a Balance of Power to be carefully held by every State within itself, as well as among several States with each other.

The true Meaning of a Balance of Power, either without or within a State, is best conceived by considering what the nature of a Balance is. It supposes three Things. First, the Part which is held, together with the Hand that holds it; and then the two Scales, with whatever is weighed therein. Now consider several States in a Neighbourhood: In order to preserve Peace between these States, it is necessary they should be form'd into a Balance, whereof

one or more are to be Directors, who are to divide the rest into equal Scales, and upon Occasions remove from one into the other, or else fall with their own Weight into the Lightest. So in a State within itself, the Balance must be held by a third Hand; who is to deal the remaining Power with utmost Exactness into the several Scales. Now, it is not necessary that the Power should be equally divided between these three; For the Balance may be held by the Weakest, who, by his Address and Conduct, removing from either Scale, and adding of his own, may keep the Scales duly pois'd. Such was that of the two Kings of *Sparta*, the Consular Power in *Rome*: that of the Kings of *Media* before the Reign of *Cyrus*, as represented by *Xenophon*, and that of the several limited States in the *Gothick* Institution.

When the Balance is broke, whether by the Negligence, Folly, or Weakness of the Hand that held it, or by mighty Weights fallen into either Scale, the Power will never continue long in equal Division between the two remaining Parties, but (till the Balance is fixed anew) will run entirely into one. This gives the truest account of what is understood in the most ancient and approved *Greek* Authors by the Word *Tyranny*, which is not meant for the seizing of the uncontrouled or absolute Power into the Hands of a single Person (as many superficial Men have grosly mistaken) but for the breaking of the Balance by whatever Hand, and leaving the Power wholly in one Scale. For *Tyranny* and *Usurpation* in a State, are by no means confined to any Number, as might easily appear from Examples enough, and because the Point is material, I shall cite a few to prove it.

The *Romans* having sent to *Athens*, and the *Greek* Cities of *Italy*, for the Copies of the best Laws, chose Ten Legislators to put them into form, and during the Exercise of their Office, suspended the Consular Power, leaving the Administration of Affairs in their Hands. These very Men, though chosen for such a Work, as the digesting a Body of Laws for the Government of a free

State, did immediately usurp Arbitrary Power, ran into all the Forms of it, had their Guards and Spies, after the Practice of the Tyrants of those Ages, affected Kingly State, destroy'd the Nobles, and oppress the People; One of them proceeding so far as to endeavour to force a Lady of great Virtue: the very Crime which gave Occasion to the Expulsion of the Regal Power but sixty Years before, as this Attempt did to that of the *Decemviri*.

The *Ephori* in *Sparta* were at first only certain Persons deputed by the Kings to judge in Civil Matters, while *They* were employ'd in the Wars. These Men, at several times, usurp'd the absolute Authority, and were as cruel Tyrants as any in their Age.

Soon after the unfortunate Expedition into *Sicily*, the *Athenians* chose four hundred Men for Administration of Affairs, who became a Body of Tyrants, and were called in the Language of those Ages, an *Oligarchy*, or Tyranny of the *Few*; under which hateful Denomination, they were soon after deposed in great Rage by the People.

When *Athens* was subdued by *Lysander*, he appointed thirty Men for the Administration of that City, who immediately fell into the rankest Tyranny: But this was not all; For conceiving their Power not founded on a *Basis* large enough, they admitted three thousand into a Share of the Government; and thus fortified, became the cruellest Tyranny upon Record. They murder'd, in cold Blood, great numbers of the best Men, without any Provocation, from the meer Lust of Cruelty, like *Nero* or *Caligula*. This was such a Number of Tyrants together, as amounted to near a third part of the whole City. For *Xenophon* tells us, that the City contain'd about ten thousand Houses, and allowing one Man to every House, who could have any Share in the Government (the rest consisting of Women, Children, and Servants) and making other obvious Abatements, these Tyrants, if they had been careful to adhere together, might have been a Majority even of the People Collective.

In the time of the second *Punick* War, the Balance of

Power in *Carthage* was got on the side of the People, and that to a Degree, that some Authors reckon the Government to have been then among them a *Dominatio Plebis*, or *Tyranny of the Commons*, which it seems they were at all times apt to fall into, and was at last among the Causes that ruined their State: And the frequent Murders of their Generals, which *Diodorus* tells us was grown to an establish'd Custom among them, may be another Instance that Tyranny is not confined to Numbers.

I shall mention but one Example more among a great Number that might be produced; It is related by the Author last cited. The Orators of the People at *Argos* (whether you will stile them in modern Phrase, *Great Speakers in the House*, or only in general, Representatives of the People Collective) stirred up the Commons against the Nobles; of whom 1600 were Murdered at once, and at last, the Orators themselves, because they left off their Accusations, or to speak Intelligibly, because they *withdrew their Impeachments*; having, it seems, raised a Spirit they were not able to lay. And this last Circumstance, as Cases have lately stood, may perhaps be worth noting.

From what hath been already advanced, several Conclusions may be drawn.

*First*, That a mixt Government partaking of the known Forms received in the Schools, is by no means of *Gothick* Invention, but has place in Nature and Reason, seems very well to agree with the Sentiments of most Legislators, and to have been follow'd in most States, whether they have appear'd under the name of Monarchies, Aristocracies, or Democracies. For, not to mention the several Republicks of this Composition in *Gaul* and *Germany*, described by *Caesar* and *Tacitus*; *Polybius* tells us, the best Government is that which consists of three Forms, *Regno*, *Optimatium*, & *Populi imperio*: Which may be fairly Translated, the *King*, *Lords* and *Commons*. Such was that of *Sparta* in its Primitive Institution by *Lycurgus*; who observing the Corruptions and Depravations to which every of these was subject, compounded his Scheme out

of all; so that it was made up of *Reges*, *Seniores*, & *Populus*: Such also was the State of *Rome*, under its Consuls; And the Author tells us, that the *Romans* fell upon this Model purely by chance, (which I take to have been Nature and common Reason) but the *Spartans* by Thought and Design. And such at *Carthage* was the *summa Reipublicae*, or Power in the last Resort; For they had their Kings call'd *Suffetes*, and a Senate which had the Power of *Nobles*, and the *People* had a share establish'd too.

*Secondly*, It will follow, That those Reasoners who employ so much of their Zeal, their Wit and their Leisure for upholding the Balance of Power in Christendom, at the same time that by their Practices they are endeavouring to destroy it at home, are not such mighty Patriots, or so much in the true Interest of their Country, as they would affect to be thought, but seem to be employed like a Man who pulls down with his right Hand what he has been Building with his left.

*Thirdly*, This makes appear the Error of those who conceive, that Power is safer lodged in many Hands than in one. For if those many Hands be made up only of one of the three Divisions before mentioned, 'tis plain from those Examples already produced, and easie to be parallel'd in other Ages and Countries, that they are as capable of Enslaving the Nation, and of acting all manner of Tyranny and Oppression as it is possible for a single Person to be; tho' we should suppose their number to be not only of Four or Five Hundred, but above Three Thousand.

Again, it is manifest from what has been said, that in order to preserve the Balance in a mix'd State, the Limits of Power deposited with each Party ought to be ascertained, and generally known. The defect of this is the cause that introduces those strugglings in a State about *Prerogative* and *Liberty*, about Encroachments of the *Few*, upon the Rights of the *Many*, and of the *Many* upon the Privileges of the *Few*, which ever did and ever will conclude in a Tyranny; First, either of the *Few*, or the *Many*, but at last infallibly of a single Person. For, which ever

of the three Divisions in a State is upon the Scramble for more Power than its own (as one or other of them generally is) unless due care be taken by the other two; upon every new Question that arises, they will be sure to decide in favour of themselves, talk much of Inherent Right; they will nourish up a dormant Power, and reserve Privileges in *petto*, to exert upon Occasions, to serve Expedients, and to urge upon Necessities. They will make large Demands, and scanty Concessions, ever coming off considerable Gainers: Thus at length the Balance is broke, and Tyranny let in, from which Door of the three it matters not.

To pretend to a declarative Right upon any occasion whatsoever, is little less than to make use of the whole Power: That is, to declare an opinion to be Law, which has always been contested, or perhaps never started at all before such an incident brought it on the Stage. Not to consent to the Enacting of such a Law, which has no view beside the general Good, unless another Law shall at the same time pass, with no other view but that of advancing the Power of one Party alone; What is this but to claim a positive Voice as well as a negative? To pretend that great Changes and Alienations of Property have created new and great dependances, and consequently new additions of Power, as some Reasoners have done, is a most dangerous Tenet: If Dominion must follow Property, let it follow in the same pace: For Changes in Property thro' the Bulk of a Nation make slow Marches, and its due Power always attends it. To conclude, that whatever attempt is begun by an Assembly, ought to be pursued to the end, without regard to the greatest incidents that may happen to alter the Case; To count it mean, and below the *Dignity of a House* to quit a Prosecution; To resolve upon a Conclusion before it is possible to be apprised of the Premises; To act thus, I say, is to affect not only absolute Power, but infallibility too. Yet such unaccountable Proceedings as these have Popular Assemblies engaged in, for want of fixing the due Limits of *Power* and *Privilege*.

Great Changes may indeed be made in a Government, yet the Form continue, and the Balance be held; but large Intervals of Time must pass between every such Innovation, enough to melt down and make it of a Piece with the Constitution. Such we are told were the Proceedings of *Solon*, when he Modelled anew the *Athenian* Commonwealth: And what Convulsions in our own as well as other States have been bred by a neglect of this Rule, is fresh and notorious enough: 'Tis too soon in all conscience to repeat this Error again.

Having shewn that there is a natural Balance of Power in all free States, and how it has been divided sometimes by the People themselves, as in *Rome*, at others by the Institutions of Legislators, as in the several States of *Greece* and *Sicily*: The next thing is to examine what Methods have been taken to break or overthrow this Balance; which every one of the three Parties have continually endeavour'd, as opportunities have served; which might appear from the Stories of most Ages and Countries. For, Absolute Power in a particular State, is of the same nature with universal Monarchy in several States adjoyning to each other. So endless and exorbitant are the desires of Men, whether consider'd in their Persons or their States, that they will grasp at all, and can form no Scheme of perfect Happiness with less. Ever since Men have been united into Governments, the Hopes and Endeavours after universal Monarchy have been bandied among them, from the Reign of *Ninus* to this of the *Most Christian King*; in which pursuits Commonwealths have had their share as well as Monarchs: So the *Athenians*, the *Spartans*, the *Thebans* and the *Achaians*, did at several times aim at the universal Monarchy of *Greece*; So the Commonwealths of *Carthage* and *Rome* affected the universal Monarchy of the then known World. In like manner has absolute Power been pursued by the several Parties of each particular State, wherein single Persons have met with most Success, tho' the endeavours of the *Few* and the *Many* have been frequent enough; But, being neither so uniform

in their Designs, nor so direct in their Views, they neither could manage nor maintain the Power they had got; but were ever deceived by the Popularity and Ambition of some single Person. So that it will be always a wrong step in Policy, for the *Nobles* or *Commons* to carry their Endeavours after Power so far, as to overthrow the Balance: And it would be enough to damp their warmth in such Pursuits, if they could once reflect, that in such a Course they will be sure to run upon the very Rock they meant to avoid, which I suppose they would have us think is the Tyranny of a single Person.

Many Examples might be produced of the Endeavours from each of these three Rivals after absolute Power; But I shall suit my Discourse to the Time I am Writing in, and Relate only such Dissentions between the *Nobles* and *Commons*, with the Consequences of them, in *Greece* and *Rome*, wherein the latter were the Aggressors.

I shall begin with *Greece*, where my Observations shall be confin'd to *Athens*, tho' several Instances might be brought from other States thereof.

## CHAP. II.

### *Of the Dissensions in* Athens, *between the* Few *and the* Many.

*Theseus* is the first who is Recorded with any appearance of Truth to have brought the *Grecians* from a barbarous manner of Life among scattered Villages, into Cities, and to have establish'd the *Popular State* in *Athens*, assigning to himself the Guardianship of the Laws, and chief Command in War. He was forced after some time to leave the *Athenians* to their own measures, upon account of their seditious Temper, which ever continu'd with them till the final Dissolution of their Government by the *Romans*. It

seems, the Country about *Attica* was the most Barren of any in *Greece*; thro' which means it happened that the Natives were never expelled by the Fury of Invaders, (who thought it not worth a Conquest) but continued always *Aborigines*; and therefore retained thro' all Revolutions a tincture of that turbulent Spirit wherewith their Government began. This Institution of *Theseus* appears to have been rather a sort of mixt Monarchy than a popular State, and for ought we know, might continue so during the Series of Kings till the Death of *Codrus*. From this last Prince, *Solon* was said to be descended; who finding the People engaged in two violent Factions, of the Poor and the Rich, and in great confusions thereupon; refusing the Monarchy which was offered him, chose rather to cast the Government after another Model, wherein he made due provision for settling the Balance of Power, chusing a Senate of 400, and disposing the Magistracies and Offices according to Mens Estates; leaving to the Multitude their Votes in Electing, and the Power of judging certain Processes by Appeal. This Council of 400 was Chosen, 100 out of each Tribe, and seems to have been a Body Representative of the People; tho' the People collective reserved a share of Power to themselves. It is a Point of History perplexed enough; but thus much is certain, that the Balance of Power was provided for; else *Pysistratus*, (called by Authors the Tyrant of *Athens*) could never have govern'd so peaceably as he did, without changing any of *Solon*'s Laws. These several Powers, together with that of the *Archon*, or Chief Magistrate, made up the Form of Government in *Athens*, at what time it began to appear upon the Scene of Action and Story.

The first great Man bred up under this Institution was *Miltiades*, who lived about Ninety Years after *Solon*, and is reckon'd to have been the first great Captain not only of *Athens*, but of all *Greece*. From the time of *Miltiades* to that of *Phocion*, who is look'd upon as the last famous General of *Athens*, are about 130 years: After which they were subdued and insulted by *Alexander*'s Captains, and con-

tinued under several Revolutions a small truckling State of no Name or Reputation, till they fell with the rest of *Greece* under the Power of the *Romans*.

During this Period from *Miltiades* to *Phocion*, I shall trace the Conduct of the *Athenians*, with relation to their Dissensions between the People and some of their Generals; who at that time by their Power and Credit in the Army, in a Warlike Commonwealth, and often supported by each other, were, with the Magistrates and other Civil Officers, a sort of Counterpoise to the Power of the People, who since the Death of *Solon* had already made great Encroachments. What these Dissensions were, how founded, and what the Consequences of them, I shall briefly and impartially Relate.

I must here premise, that the *Nobles* in *Athens* being not at this time a Corporate Assembly that I can gather; therefore the Resentments of the Commons were usually turned against particular Persons, and by way of Articles of Impeachment. Whereas, the Commons in *Rome*, and some other States, (as will appear in proper Place) tho' they followed this Method upon occasion, yet generally pursued the Enlargement of their Power, by more set Quarrels of one entire Assembly against another. However, the Custom of particular Impeachments being not limited to former Ages, any more than that of general Struggles and Dissensions betwixt fix'd Assemblies of Nobles and Commons; And the Ruin of *Greece* having been owing to the former, as that of *Rome* was to the latter; I shall treat on both expresly; that those States who are concerned in either (if at least, there be any such now in the World) may by observing the Means and the Issues of former Dissensions, learn whether the Causes are alike in theirs, and if they find them to be so, may consider whether they ought not justly to apprehend the same Effects.

To speak of every particular Person impeach'd by the Commons of *Athens*, within the compass designed, would introduce the History of almost every great Man they had

among them. I shall therefore take notice only of Six, who living in that Period of Time when *Athens* was at the height of its Glory (as indeed it could not be otherwise while such Hands were at the Helm) tho' *impeach'd for high Crimes and Misdemeanors*, such as *Bribery*, *Arbitrary Proceedings*, *misapplying or imbesling publick Funds*, *ill Conduct at Sea*, and the like, were honored and lamented by their Country, as the Preservers of it, and have had the Veneration of all Ages since paid justly to their Memories.

*Miltiades* was one of the *Athenian* Generals against the *Persian* Power, and the famous Victory at *Marathon* was chiefly owing to his Valour and Conduct. Being sent some time after to reduce the Island *Paros*, he mistook a great Fire at distance, for the *Persian* Fleet, and being no ways a Match for them, set Sail for *Athens*; at his Arrival he was *impeach'd* by the Commons for Treachery, tho' not able to appear by reason of his Wounds, fined 30000 Crowns, and died in Prison. Tho' the Consequences of this Proceeding upon the Affairs of *Athens*, were no other than the untimely Loss of so great and good a Man, yet I could not forbear relating it.

Their next great Man was *Aristides*: Beside the mighty Service he had done his Country in the Wars; he was a Person of the strictest Justice, and best acquainted with the Laws as well as Forms of their Government, so that he was in a manner the Chancellor of *Athens*. This Man upon a slight and false Accusation of *favouring Arbitrary Power*, was banish'd by *Ostracism*, which rendered into modern *English*, would signify that they voted *he should be removed from their Presence and Councils for ever*. But, however, they had the Wit to recal him, and to that Action owed the Preservation of their State by his future Services. For it must be still confessed in behalf of the *Athenian* People, that they never conceived themselves perfectly infallible, nor arrived to the Heights of *modern Assemblies*, to make *Obstinacy* confirm what *sudden Heat* and *Temerity* began. They thought it not below the Dignity of an

Assembly to endeavour at correcting an ill Step; at least to repent, tho' it often fell out too late.

*Themistocles* was at first a *Commoner* himself. It was he that raised the *Athenians* to their Greatness at Sea, which he thought to be the true and constant Interest of that Commonwealth; and the famous Naval Victory over the *Persians* at *Salamis* was owing to his Conduct. It seems the People observed somewhat of Haughtiness in his Temper and Behavior, and therefore banisht him for five Years; but finding some slight matter of Accusation against him, they sent to seize his Person, and he hardly escaped to the *Persian* Court; from whence if the love of his Country had not surmounted its base Ingratitude to him, he had many Invitations to return at the Head of the *Persian* Fleet, and take a terrible Revenge; But he rather chose a voluntary Death.

The People of *Athens* Impeached *Pericles* for *Misapplying the Publick Revenues to his own Private Use*. He had been a Person of great Deservings from the Republick, was an *admirable Speaker*, and very Popular; *His Accounts were confused, and he could not then give them up*; therefore meerly to divert that Difficulty, and the Consequences of it, he was forced to engage his Country in the *Peloponnesian* War, the longest that ever was known in *Greece*, and which ended in the utter Ruin of *Athens*.

The same People having resolved to subdue *Sicily*, sent a mighty Fleet under the command of *Nicias*, *Lamachus*, and *Alcibiades*: the two former, Persons of Age and Experience; the last a young Man of noble Birth, excellent Education, and a plentiful Fortune. A little before the Fleet set Sail, it seems, one Night, the Stone Images of *Mercury* placed in several parts of the City were all pared in the Face: This Action the *Athenians* interpreted for a Design of destroying the Popular State; and *Alcibiades* having been formerly noted for the like Frolicks and Excursions, was immediately accused of this. He, whether Conscious of his Innocence or assured of the Secrecy,

offered to come to his Tryal before he went to his Command; this the *Athenians* refused; but as soon as he was got to *Sicily*, they sent for him back, designing to take the Advantage, and Prosecute him in the Absence of his Friends, and of the Army, where he was very Powerful. It seems, he understood the Resentments of a Popular Assembly too well to trust them; and therefore instead of returning, escaped to *Sparta*; where his desires of Revenge prevailing over his Love to his Country, he became its greatest Enemy. Mean while, the *Athenians* before *Sicily*, by the Death of one Commander, and the Superstition, Weakness, and perfect ill Conduct of the other, were utterly destroyed, the whole Fleet taken, a miserable Slaughter made of the Army, whereof hardly one ever returned. Some time after this, *Alcibiades* was recalled upon his Conditions, by the Necessities of the People, and made chief Commander at Sea and Land; but his Lieutenant engaging against his positive Orders, and being beaten by *Lysander*, *Alcibiades* was again disgraced and banished. However, the *Athenians* having lost all Strength and Heart since their Misfortune at *Sicily*, and now deprived of the only Person that was able to recover their Losses, repent of their Rashness, and endeavour in vain for his Restoration; the *Persian* Lieutenant, to whose Protection he fled, making him a Sacrifice to the Resentments of *Lysander* the General of the *Lacedemonians*, who now reduces all the Dominions of the *Athenians*, takes the City, razes their Walls, ruins their Works, and changes the Form of their Government; which though again restored for some time by *Thrasybulus* (as their Walls were rebuilt by *Conon*) yet here we must date the Fall of the *Athenian* Greatness; the Dominion and chief Power in *Greece*, from that Period, to the time of *Alexander* the Great, which was about fifty Years, being divided between the *Spartans* and *Thebans*. Though *Philip*, *Alexander*'s Father (*the Most Christian King* of that Age) had indeed some time before begun to break in upon the Republicks of *Greece*, by Conquest or *Bribery*; particularly *dealing large Money*

*among some Popular Orators*, by which he brought many of them, (as the term of Art was then) to *Philippize*.

In the time of *Alexander* and his Captains, the *Athenians* were offered an Opportunity of preserving their Liberty, and being restored to their former State; but the wise Turn they thought to give the Matter, was by an Impeachment and Sacrifice of the Author, to hinder the Success. For, after the Destruction of *Thebes* by *Alexander*, this Prince designing the Conquest of *Athens*, was prevented by *Phocion* the *Athenian* General, then Ambassador from that State; who by his great Wisdom and Skill at Negotiation, diverted *Alexander* from his Design, and restored the *Athenians* to his Favour. The very same Success he had with *Antipater* after *Alexander*'s Death, at which time the Government was new regulated by *Solon*'s Laws: But *Polyperchon*, in hatred to *Phocion*, having by Order of the young King (whose Governor he was) restored those whom *Phocion* had banished; the Plot succeeded, *Phocion* was accused by Popular Orators, and put to Death.

Thus was the most powerful Commonwealth of all *Greece*, after great degeneracies from the Institution of *Solon*, utterly destroyed by that rash, jealous, and inconstant humour of the People, which was never satisfied to see a General either *Victorious* or *Unfortunate*; such ill Judges, as well as Rewarders, are *Popular Assemblies*, of those who best deserve from them.

Now the Circumstance which makes these Examples of more Importance, is, that this very Power of the People in *Athens*, claimed so confidently for an *inherent Right*, and insisted on as the *undoubted Privilege of an* Athenian *born*, was the rankest Encroachment imaginable, and the grossest Degeneracy from the Form that *Solon* left them. In short, their Government was grown into a *Dominatio plebis*, or *Tyranny of the People*, who by degrees had broke and overthrown the Balance which that Legislator had very well fixed and provided for. This appears not only from what has been already said of that Lawgiver; but

more manifestly from a Passage in *Diodorus*; who tells us, That Antipater *one of* Alexander's *Captains, abrogated the Popular Government* (*in* Athens) *and restored the Power of Suffrages and Magistracy, to such only as were worth two thousand Drachmas; by which means,* (*says he*) *that Republick came to be* [*again*] *administred by the Laws of* Solon. By this Quotation, 'tis manifest, that great Author look'd upon *Solon*'s Institution, and a Popular Government to be two different Things. And as for this Restoration by *Antipater*, it had neither Consequence nor Continuance worth observing.

I might easily produce many more Examples, but these are sufficient, and it may be worth the Readers time to reflect a little upon the Merits of the Cause, as well as of the Men who had been thus dealt with by their Country. I shall direct him no further than by repeating, that *Aristides* was the most renowned by the People themselves for his exact *Justice and Knowledge in the Law*; That *Themistocles* was a most fortunate Admiral, and had got *a mighty Victory over the great King of* Persia's *Fleet*; That *Pericles* was an *able Minister of State, an excellent Orator, and a Man of Letters*; And lastly, that *Phocion*, besides the Success of his Arms, was also renowned for his *Negotiations abroad, having in an Embassy brought the greatest Monarch of the World at that time, to the Terms of an honourable Peace, by which his Country was preserved.*

I shall conclude my Remarks upon *Athens*, with the Character given us of that People by *Polybius*. About this time (says he) the *Athenians* were Governed by two Men, quite sunk in their Affairs; had little or no Commerce with the rest of *Greece*, and were become great Reverencers of Crown'd Heads.

For from the time of *Alexander*'s Captains, till *Greece* was subdued by the *Romans* (to the latter part of which this Description of *Polybius* falls in) *Athens* never produced one famous Man either for Councils or Arms, or hardly for Learning. And indeed it was a dark insipid Period through all *Greece*: for except the *Achaian* League under

*Aratus* and *Philopœmen*, and the endeavours of *Agis* and *Cleomenes* to restore the State of *Sparta*, so frequently harassed by Tyrannies occasioned by the Popular Practices of the *Ephori*, there was very little worth Recording. All which Consequences may perhaps be justly imputed to this Degeneracy of *Athens*.

## CHAP. III.

### *Of the Dissensions between the Patricians and Plebeians in* Rome, *with the Consequences they had upon that State.*

HAVING in the foregoing Chapter confined my self to the Proceedings of the Commons, only by the Method of *Impeachments* against particular Persons, with the fatal Effects they had upon the State of *Athens*; I shall now treat of the Dissensions at *Rome* between the People and the Collective Body of the *Patricians* or *Nobles*. It is a large Subject, but I shall draw it into as narrow a Compass as I can.

As *Greece*, from the most antient Accounts we have of it, was divided into several Kingdoms, so was most part of *Italy* into several petty Commonwealths. And as those Kings in *Greece* are said to have been deposed by their People upon the Score of their Arbitrary Proceedings; so on the contrary, the Commonwealths of *Italy* were all swallowed up, and concluded in the Tyranny of the *Roman* Emperors. However, the Differences between those *Grecian* Monarchies, and *Italian* Republicks, were not very great: For, by the Accounts *Homer* gives us of those *Grecian* Princes who came to the Siege of *Troy*, as well as by several Passages in the *Odysses*; it is manifest, that the Power of these Princes in their several States, was much of a size with that of the Kings in *Sparta*, the

Archon at *Athens*, the Suffetes at *Carthage*, and the Consuls in *Rome*: So that a limited and divided Power seems to have been the most antient and inherent Principle of both those People in Matters of Government. And such did that of *Rome* continue from the time of *Romulus*, tho' with some interruptions, to *Julius Cæsar*, when it ended in the Tyranny of a single Person. During which Period, (not many Years longer than from the *Norman* Conquest to our Age) the Commons were growing by degrees into Power and Property, gaining Ground upon the Patricians as it were Inch by Inch, till at last they quite overturned the Balance, leaving all Doors open to the Practices of popular and ambitious Men, who destroyed the Wisest Republick, and enslaved the Noblest People that ever entred upon the Stage of the World. By what Steps and Degrees this was brought to pass, shall be the Subject of my present Enquiry.

While *Rome* was governed by Kings, the Monarchy was altogether Elective. *Romulus* himself, when he had built the City, was declared King by the universal Consent of the People, and by Augury, which was then understood for *Divine Appointment*. Among other Divisions he made of the People, one was into *Patricians* and *Plebeians*: The former were like the Barons of *England* some time after the Conquest; and the latter are also described to be almost exactly what our Commons were then. For they were Dependants upon the Patricians, whom they chose for their Patrons and Protectors, to answer for their Appearance, and defend them in any Process: They also supplied their Patrons with Money in exchange for their Protection. This Custom of *Patronage*, it seems, was very antient, and long practised among the *Greeks*.

Out of these Patricians, *Romulus* chose an hundred to be a *Senate* or *Grand Council*, for Advice and Assistance to him in the Administration. The Senate therefore, originally consisted all of *Nobles*, and were of themselves a *Standing Council*, the *People* being only convoked upon such Occasions as by this Institution of *Romulus* fell into

their Cognizance: Those were, to constitute Magistrates, to give their Votes for making Laws, and to advise upon entring on a War. But the two former of these popular Privileges were to be confirmed by Authority of the Senate; and the last was only permitted at the King's Pleasure. This was the utmost Extent of Power pretended by the *Commons* in the time of *Romulus*; all the rest being divided between the King and the Senate, the whole agreeing very nearly with the Constitution of *England* for some Centuries after the Conquest.

After a Year's *interregnum* from the Death of *Romulus*, the Senate of their own Authority chose a Successor, and a Stranger, meerly upon the Fame of his Virtue, without asking the Consent of the Commons; which Custom they likewise observed in the two following Kings. But in the Election of *Tarquinius Priscus*, the fifth King, we first hear mentioned that it was done, *Populi impetratâ veniâ*, which indeed was but very reasonable for a free People to expect; tho' I cannot remember in my little reading, by what Incidents they were brought to advance so great a Step. However it were, this Prince, in Gratitude to the People by whose Consent he was chosen, elected a hundred Senators out of the Commons, whose Number with former Additions was now amounted to three hundred.

The People having once discovered their own Strength, did soon take occasion to exert it, and that by very great Degrees. For, at this King's Death (who was murdered by the Sons of a former) being at a loss for a Successor, *Servius Tullius*, a Stranger, and of mean Extraction, was chosen Protector of the Kingdom, by the *People*, without the Consent of the Senate; at which the Nobles being displeased, he wholly applied himself to gratify the Commons, and was by them declared and confirmed no longer Protector but King.

This Prince first introduced the Custom of giving freedom to Servants, so as to become Citizens of equal Privileges with the rest, which very much contributed to encrease the Power of the *People*.

Thus in a very few Years the Commons proceeded so far as to wrest even the Power of chusing a King, entirely out of the Hands of the Nobles; which was so great a Leap, and caused such a Convulsion and Struggle in the State, that the Constitution could not bear it; but Civil Dissensions arose, which immediately were followed by the Tyranny of a single Person, as this was by the utter Subversion of the Regal Government, and by a Settlement upon a new Foundation. For the Nobles spighted at this Indignity done them by the Commons, firmly united in a Body, deposed this Prince by plain force, and chose *Tarquin the Proud*, who running into all the Forms and Methods of Tyranny, after a cruel Reign was expelled by an universal Concurrence of Nobles and People, whom the Miseries of his Reign had reconciled.

When the Consular Government began, the Balance of power between the Nobles and Plebeians was fixed anew. The two first Consuls were nominated by the Nobles, and confirmed by the Commons; and a Law was enacted that no Person should bear any Magistracy in *Rome*, *injussu Populi*; that is, without *Consent of the Commons*.

In such turbulent Times as these, many of the poorer Citizens had contracted numerous Debts, either to the richer sort among themselves, or to Senators and other Nobles: and the Case of Debtors in *Rome* for the first four Centuries, was, after the set time for Payment, no Choice but either to pay or be the Creditor's Slave. In this Juncture the Commons quit the City in Mutiny and Discontent, and will not return but upon condition to be acquitted of all their Debts; and moreover, that certain Magistrates be chosen yearly; whose Business it shall be to defend the Commons from Injuries. These are called *Tribunes of the People*, their Persons are held Sacred and Inviolable, and the People bind themselves by Oath never to abrogate the Office. By these Tribunes, in process of time, the People were grosly imposed on to serve the Turns and Occasions of revengeful or ambitious Men, and

to commit such Exorbitances as could not end, but in the Dissolution of the Government.

These Tribunes a year or two after their Institution kindled great Dissensions between the Nobles and the Commons, on the account of *Coriolanus*, a Nobleman, whom the latter had *Impeached*, and the Consequences of whose Impeachment (if I had not confined my self to *Grecian* Examples for that part of my Subject) had like to have been so fatal to their State. And from this time the Tribunes began a Custom of accusing to the People whatever Noble they pleas'd, several of whom were Banish'd or put to Death in every Age.

At this time the *Romans* were very much engaged in Wars with their Neighbouring States; but upon the least Intervals of Peace, the Quarrels between the Nobles and the Plebeians would revive; and one of the most frequent Subjects of their Differences was the *Conquered Lands*, which the Commons would fain have divided among the Publick; but the Senate could not be brought to give their Consent. For several of the wisest among the Nobles began to apprehend the growing Power of the People; and therefore knowing what an Accession thereof would accrue to them by such an Addition of Property, used all means to prevent it: For this the *Appian* Family was most noted, and thereupon most hated by the Commons. One of them having made a Speech against this Division of Lands, was Impeach'd by the People of High Treason, and a Day appointed for his Tryal; but disdaining to make his Defence, chose rather the usual *Roman* Remedy of killing himself: After whose Death the Commons prevailed, and the Lands were divided among them.

This point was no sooner gained, but new Dissensions began: For the Plebeians would fain have a Law Enacted, to lay all Mens Rights and Privileges upon the same level; and to enlarge the Power of every Magistrate within his own Jurisdiction, as much as that of the Consuls. The Tribunes also obtain'd to have their Number doubled, which before was Five, and the Author tells us, that their

Insolence and Power encreased with their Number, and the Seditions were also doubled with it.

By the beginning of the Fourth Century from the Building of *Rome*, the Tribunes proceeded so far in the name of the Commons, as to accuse and fine the Consuls themselves, who represented the Kingly Power. And the Senate observing, how in all Contentions they were forc'd to yield to the Tribunes and People, thought it their wisest course to give way also to Time: Therefore a Decree was made to send Ambassadors to *Athens*, and to the other *Grecian* Commonwealths planted in that part of *Italy*, call'd *Græcia Major*, to make a Collection of the best Laws; out of which and some of their own, a new complete Body of Law was formed, afterwards known by the name of the *Laws of the Twelve Tables*.

To digest these Laws into Order, Ten Men were Chosen, and the Administration of all Affairs left in their Hands; what use they made of it has been already shewn. It was certainly a great Revolution, produc'd entirely by the many unjust Encroachments of the People; and might have wholly changed the Fate of *Rome*, if the Folly and Vice of those who were chiefly concern'd, could have suffered it to take Root.

A few Years after, the Commons made further Advances on the Power of the Nobles; demanding among the rest, that the Consulship, which hitherto had only been disposed to the former, should now lie in common to the Pretensions of any *Roman* whatsoever. This, tho' it fail'd at present, yet afterward obtain'd, and was a mighty Step to the Ruin of the Commonwealth.

What I have hitherto said of *Rome* has been chiefly Collected out of that exact and diligent Writer *Dionysius Halicarnasseus*; whose History (thro' the injury of Time) reaches no farther than to the beginning of the fourth Century after the Building of *Rome*. The rest I shall supply from other Authors; tho' I do not think it necessary to deduce this Matter any further, so very particularly as I have hitherto done.

To point at what Time the Balance of Power was most equally held between the *Lords* and *Commons* in *Rome*, would perhaps admit a Controversie. *Polybius* tells us, that in the second *Punick* War, the *Carthaginians* were declining, because the Balance was got too much on the side of the People; whereas the *Romans* were in their greatest Vigour, by the Power remaining in the Senate; yet this was between Two and Three Hundred Years after the Period *Dionysius* ends with; in which time the Commons had made several further Acquisitions. This however must be granted, that (till about the middle of the fourth Century) when the Senate appeared resolute at any time upon exerting their Authority, and adhered closely together, they did often carry their point. Besides, it is observed by the best Authors, that in all the Quarrels and Tumults at *Rome*, from the expulsion of the Kings; tho' the People frequently proceeded to rude contumelious Language, and sometimes so far as to pull and hale one another about the *Forum*; yet no Blood was ever drawn in any popular Commotions till the time of the *Gracchi*. However, I am of Opinion, that the Balance had begun many years before to lean to the popular side; But this default was corrected, partly by the Principle just mentioned, of never drawing Blood in a Tumult; partly by the Warlike Genius of the People, which in those Ages was almost perpetually employed; and partly by their great Commanders, who by the Credit they had in their Armies, fell into the Scales as a further counterpoise to the growing Power of the People. Besides, *Polybius*, who liv'd in the time of *Scipio Africanus* the younger, had the same apprehensions of the continual Encroachments made by the Commons; and being a Person of as great Abilities, and as much Sagacity as any of his Age; from observing the Corruptions which he says had already entred into the *Roman* Constitution, did very nearly foretel what would be the Issue of them. His Words are very remarkable, and with little addition may be rendred to this purpose. *That those Abuses and Corruptions which in time destroy a Government, are sown*

*along with the very Seeds of it, and both grow up together. And that as Rust eats away Iron, and Worms devour Wood, and both are a sort of Plagues born and bred along with the substance they destroy; so with every Form and Scheme of Government that Man can invent, some Vice or Corruption creeps in with the very Institution, which grows up along with, and at last destroys it.* The same Author in another place, ventures so far as to guess at the particular Fate which would attend the *Roman* Government. He says, its Ruin would arise from popular Tumults, which would introduce a *Dominatio Plebis*, or Tyranny of the People; wherein 'tis certain he had reason; and therefore might have adventured to pursue his conjectures so far, as to the Consequences of a popular Tyranny, which as perpetual Experience teaches, never fails to be followed by the Arbitrary Government of a single Person.

About the middle of the Fourth Century from the Building of *Rome*, it was declared lawful for *Nobles* and *Plebeians* to intermarry; which Custom among many other States, has proved the most effectual means to ruin the former, and raise the latter.

And now the greatest Employments in the State were one after another, by Laws forceably Enacted by the *Commons*, made free to the People; the *Consulship* it self, the Office of *Censor*, that of the *Questors*, or *Commissioners of the Treasury*, the Office of *Prætor*, or Chief Justice, the *Priesthood*, and even that of *Dictator*. The Senate after long Opposition, yielding meerly for present quiet to the continual urging Clamors of the *Commons*, and of the *Tribunes* their Advocates. A Law was likewise Enacted, that the *Plebiscita*, or *A Vote of the House of Commons*, should be of universal Obligation; nay in time the method of Enacting Laws was wholly inverted: For whereas the Senate used of old to confirm the *Plebiscita*; the People did at last as they pleased, confirm or disanul the *Senatusconsulta*.

*Appius Claudius* brought in a Custom of admitting to the Senate the Sons of Freed Men, or of such who had once been Slaves; by which, and succeeding alterations

of the like nature, that great Council degenerated into a most corrupt and factious Body of Men, divided against it self; and its Authority became despis'd.

The Century and half following, to the end of the third *Punick* War, by the entire destruction of *Carthage*, was a very busie Period at *Rome*: The Intervals between every War being so short, that the *Tribunes* and *People* had hardly Leisure or Breath to engage in Domestick Dissensions; However, the little time they could spare, was generally employed the same way. So *Terentius Leo*, a *Tribune*, is recorded to have basely prostituted the Privileges of a *Roman* Citizen, in perfect spight to the *Nobles*. So the great *African Scipio* and his Brother, after all their mighty Services were Impeached by an ungrateful *Commons*.

However, the Warlike Genius of the People, and continual Employment they had for it, served to divert this Humor from running into a Head, till the Age of the *Gracchi*.

These Persons entring the Scene in the time of a full Peace, fell violently upon advancing the Power of the People, by reducing into practice all those Encroachments which they had been so many years a gaining. There were at that time certain *Conquered Lands*, to be divided, beside a *great private Estate left by a King*. These the Tribunes, by procurement of the elder *Gracchus*, declar'd by their Legislative Authority, were not to be disposed of by the *Nobles*, but by the *Commons* only. The younger Brother pursued the same design; and besides, obtained a Law, that all *Italians* should vote at Elections, as well as the Citizens of *Rome*: in short, the whole Endeavours of them both perpetually turned upon retrenching the *Nobles* Authority in all things, but especially in the matter of *Judicature*. And tho' they both lost their Lives in those pursuits, yet they traced out such ways as were afterwards followed by *Marius*, *Sylla*, *Pompey*, and *Cæsar*, to the Ruin of the *Roman* freedom and greatness.

For, in the time of *Marius*, *Saturninus*, a Tribune, procur'd a Law that the Senate should be bound by Oath to

agree to whatever the People would Enact: And *Marius* himself, while he was in that Office of Tribune is recorded to have with great Industry used all Endeavours for depressing the *Nobles*, and raising the People; particularly for cramping the former in their *Power of Judicature*, which was *their most ancient and inherent Right.*

*Sylla*, by the same measures became perfect Tyrant of *Rome*; He added Three Hundred Commons to the Senate, which perplexed the Power of the whole Order, and rendred it ineffectual; then flinging off the Mask, he abolished the Office of Tribune, as being only a Scaffold to Tyranny, whereof he had no further use.

As to *Pompey* and *Cæsar*, *Plutarch* tells us, that their union for pulling down the *Nobles*, (by their credit with the People) was the cause of the Civil War, which ended in the Tyranny of the latter; both of them in their Consulships having used all endeavours and occasions for sinking the Authority of the *Patricians*, and giving way to all Encroachments of the People, wherein they expected best to find their own Accounts.

From this deduction of popular Encroachments in *Rome*, the Reader will easily judge how much the Balance was fallen upon that side. Indeed by this time the very Foundation was removed, and it was a moral impossibility that the Republick could subsist any longer. For the Commons having usurped the Offices of the State, and trampled on the Senate, there was no Government left but a *dominatio Plebis*: Let us therefore examine how they proceeded in this conjuncture.

I think it is an universal Truth, that the People are much more dexterous at pulling down and setting up, than at preserving what is fixt; And they are not fonder of seizing more than their own, than they are of delivering it up again to the *worst Bidder*, with their own into the bargain. For altho' in their corrupt Notions of Divine Worship, they are apt to multiply their Gods; yet their Earthly Devotion is seldom paid to above one Idol at a time, of their own Creation; whose *Oar* they pull with

less murmuring and much more Skill than when they *share the Lading*, or even *hold the Helm*.

The several Provinces of the *Roman* Empire were now Govern'd by the great Men of their State; those upon the Frontiers with powerful Armies, either for Conquest or Defence. These Governors upon any designs of Revenge or Ambition, were sure to meet with a divided Power at home, and therefore bent all their Thoughts and Applications to close in with the People, who were now by many degrees the stronger Party. Two of the greatest Spirits that *Rome* ever produced, happen'd to live at the same time, and to be engaged in the same Pursuit; and this at a juncture the most dangerous for such a Contest. These were *Pompey* and *Cæsar*, two Stars of such a Magnitude, that their *Conjunction* was as likely to be Fatal as their *Opposition*.

The *Tribunes* and People having now Subdued all Competitors, began the last game of a prevalent Populace, which is that of chusing themselves a *Master*; while the Nobles foresaw, and used all endeavours left them, to prevent it. The People at first made *Pompey* their Admiral with full power over all the *Mediterranean*; soon after Captain General of all the *Roman* Forces, and Governor of *Asia*. *Pompey* on the other side restored the Office of *Tribune*, which *Sylla* had put down; and in his Consulship procur'd a Law for *examining into the Miscarriages of Men in Office or Command for Twenty Years past*. Many other Examples of *Pompey*'s Popularity are left us on Record, who was a perfect Favorite of the People, and design'd to be more; but his pretensions grew stale, for want of a timely opportunity of introducing them upon the Stage. For *Cæsar*, with his Legions in *Gaul*, was a perpetual Check upon his Designs; and in the Arts of pleasing the People, did soon after get many Lengths beyond him. For he tells us himself that the Senate by a bold effort having made some severe Decrees against his Proceedings, and against the Tribunes; these all left the City and went over to his Party, and consequently along with them, the

Affections and Interests of the People; which is further manifest from the Accounts he gives us of the Citizens in several Towns, mutinying against their Commanders, and delivering both to his Devotion. Besides, *Cæsar*'s publick and avowed Pretensions for beginning the Civil-War, were to restore the Tribunes and the People opprest (as he pretended) by the *Nobles*.

This forced *Pompey* against his Inclinations, upon the Necessity of changing sides, for fear of being forsaken by both; and of closing in with the Senate and chief Magistrates, by whom he was chosen General against *Cæsar*.

Thus at length, the *Senate* (at least the Primitive part of them, the Nobles) under *Pompey*, and the *Commons* under *Cæsar*, came to a final Decision of the long Quarrels between them. For, I think, the Ambition of private Men, did by no means begin or occasion this War; though Civil Dissensions never fail of introducing and spiriting the Ambition of private Men; who thus become indeed the great Instruments for deciding of such Quarrels, and at last are sure to seize on the Prize. But no Man that sees a Flock of Vultures hovering over two Armies just ready to engage, can justly charge the Blood drawn in the Battle to them; though the Carcases fall to their share. For while the Balance of Power is equally held, the Ambition of private Men, whether Orators or great Commanders, gives neither Danger nor Fear, nor can possibly enslave their Country; but That once broken, the divided Parties are forced to unite each to its Head, under whose Conduct or Fortune one side is at first Victorious, and at last both are Slaves. And to put it past dispute, that this entire Subversion of the *Roman* Liberty and Constitution, was altogether owing to those Measures which had broke the Balance between the *Patricians* and *Plebeians*, whereof the Ambition of particular Men was but an Effect and Consequence; we need only consider, that when the uncorrupted Part of the Senate, had by the Death of *Cæsar* made one great Effort to restore their former State and Liberty; the Success did not answer their hopes, but that

whole Assembly was so sunk in its Authority, that those Patriots were forced to fly, and give way to the Madness of the People; who by their own Dispositions stirred up with the Harangues of their Orators, were now wholly bent upon Single and Despotick Slavery. Else, how could such a Profligate as *Antony*, or a Boy of eighteen, like *Octavius*, ever dare to dream of giving the Law to such an Empire and People? wherein the latter succeeded, and entailed the vilest Tyranny that Heaven in its Anger ever inflicted on a Corrupt and Poison'd People. And this, with so little Appearance at *Cæsar*'s Death, that when *Cicero* wrote to *Brutus*, how he had prevailed by his Credit with *Octavius*, to promise him (*Brutus*) Pardon and Security for his Person; that Great *Roman* received the Notice with the utmost Indignity, and returned *Cicero* an Answer (yet upon Record) full of the highest Resentment and Contempt for such an Offer, and from such a Hand.

Here ended all Shew or Shadow of Liberty in *Rome*. Here was the Repository of all the wise Contentions and Struggles for Power, between the Nobles and Commons, lapt up safely in the Bosom of a *Nero* and a *Caligula*, a *Tiberius* and a *Domitian*.

Let us now see from this Deduction of particular Impeachments, and general Dissensions in *Greece* and *Rome*, what Conclusions may naturally be formed for Instruction of any other State, that may haply upon many Points labour under the like Circumstances.

## CHAP. IV.

Upon the Subject of *Impeachments* we may observe that the Custom of accusing the *Nobles* to the *People*, either by themselves or their Orators (now stiled *An Impeachment in the Name of the Commons*) has been very antient both in *Greece* and *Rome*, as well as *Carthage*; and therefore may seem to be the inherent Right of a free People; nay

perhaps it is really so; But then, it is to be considered, First, that this Custom was peculiar to Republicks, or such States where the Administration was principally in the Hands of the Commons, and ever raged more or less according to their Encroachments upon absolute Power; having been always lookt upon by the wisest Men, and best Authors of those times, as an Effect of Licentiousness, and not of Liberty; a Distinction which no Multitude either *Represented* or *Collective*, has been at any time very Nice in observing. However, perhaps this Custom in a Popular State, of Impeaching particular Men, may seem to be nothing else but the Peoples chusing, upon Occasion, to exercise their own Jurisdiction in Person, as if a King of *England* should sit as Chief Justice in his Court of *King*'s *Bench*, which they say, in former times, he sometimes did. But in *Sparta*, which was called a kingly Government, though the People were perfectly free, yet because the Administration was in the two Kings, and the *Ephori* (with the Assistance of the Senate) we read of no Impeachments by the People, nor was the Process against great Men, either upon account of Ambition or ill Conduct, though it reacht sometimes to Kings themselves, ever formed that way, as I can recollect: but only past through those Hands where the Administration lay. So likewise during the Regal Government in *Rome*, though it was instituted a mixt Monarchy, and the People made great Advances in Power; yet I do not remember to have read of one Impeachment from the Commons against a Patrician, till the Consular State began, and the People had made great Encroachments upon the Administration.

Another thing to be considered is, That, allowing this Right of Impeaching to be as inherent as they please: Yet, if the Commons have been perpetually mistaken in the Merits of the Causes and the Persons, as well as in the Consequences of such Impeachments upon the Peace of the State; one cannot conclude less, than that the Commons in *Greece* and *Rome*, (whatever they may be in other States) were by no means qualified either as Prosecutors

or Judges in such matters; and therefore, that it would have been prudent, to have reserved these Privileges dormant, never to be produced but upon very great and urging Occasions, where the State is in apparent danger, the universal Body of the People in Clamours against the Administration, and no other Remedy in view. But for a few Popular Orators or Tribunes upon the Score of *Personal Picques*; or *to employ the Pride they conceive in seeing themselves at the Head of a Party*; Or *as a Method for Advancement*; Or *moved by certain powerful Arguments that could make* Demosthenes *Philippize*; For such Men, I say, when the State would of it self gladly be quiet, and has besides Affairs of the last Importance upon the Anvil, to *Impeach* Miltiades *after a great Naval Victory for not pursuing the* Persian *Fleet*; *To Impeach* Aristides, *the Person most versed among them in the Knowledge and Practice of their Laws, for a blind suspicion of his acting in an Arbitrary way*; (*that is, as they expounded it, not in Concert with the People*); *To Impeach* Pericles, *after all his Services, for a few Paultry Accounts*; *Or to Impeach* Phocion, *who had been guilty of no other Crime but negotiating a Treaty for the Peace and Security of his Country*: what could the Continuance of such Proceedings end in, but the utter Discouragement of all virtuous Actions and Persons, and consequently in the Ruin of a State? Therefore the Historians of those Ages seldom fail to set this Matter in all its Lights; leaving us the highest and most honorable *Ideas* of those Persons, who suffered by the Persecution of the People, together with the fatal Consequences they had, and how the Persecutors seldom failed to repent when it was too late.

These Impeachments perpetually falling upon many of the best Men both in *Greece* and *Rome*, are a Cloud of Witnesses, and Examples enough to discourage Men of Virtue and Abilities from engaging in the Service of the Publick; and help on t'other side, to introduce the Ambitious, the Covetous, the Superficial, and the ill-designing; who are as apt to be Bold, and Forward, and Meddling, as the former are to be Cautious, and Modest,

and Reserved. This was so well known in *Greece*, that an Eagerness after Employments in the State, was lookt upon by wise Men, as the worst Title one could set up; and made *Plato* say, *That if all Men were as good as they ought, the Quarrel in a Commonwealth would be, not as it is now, who* should *be Ministers of State, but who should not be so.* And *Socrates* is introduced by *Xenophon* severely chiding a Friend of his for not entring into the Publick Service, when he was every way qualified for it. Such a Backwardness there was at that time among good Men to engage with an usurping People, and a Set of *pragmatical ambitious Orators.* And *Diodorus* tells us, that when the *Petalism* was erected at *Syracuse*, in imitation of the *Ostracism* at *Athens*, it was so notoriously levelled against all who had either Birth or Merit to recommend them, that whoever had either, withdrew for Fear, and would have no Concern in Publick Affairs. So that the People themselves were forced to abrogate it for fear of bringing all things into Confusion.

There is one thing more to be observed, wherein all the Popular Impeachments in *Greece* and *Rome*, seem to have agreed; and that was, a Notion they had of being concerned in *Point of Honour* to condemn whatever Person they Impeached, however frivolous the Articles were upon which they began, or however weak the Surmises whereon they were to proceed in their Proofs. For, to conceive, that the Body of the People could be mistaken, was an Indignity not to be imagined, till the Consequences had convinced them when it was past Remedy. And I look upon this as a Fate to which all Popular Accusations are Subject; though I should think that the saying, *Vox Populi, Vox Dei*, ought to be understood of the Universal Bent and Current of a People, not of the *bare Majority* of a few Representatives; which is often procured by *little Arts*, and great Industry and Application, wherein those who engage in the Pursuits of Malice and Revenge, are much more Sedulous than such as would prevent them.

From what has been deduced of the *Dissensions* in *Rome*, between the two Bodies of Patricians and Plebeians, several Reflections may be made.

First, That when the Balance of Power is duly fixed in a State, nothing is more dangerous or unwise than to give way to the *first Steps* of Popular Encroachments; which is usually done either in hopes of procuring Ease and Quiet from some vexatious Clamor, or else *made Merchandise, and meerly Bought and Sold*. This is breaking into a Constitution to serve a present Expedient, or supply a present Exigency: The Remedy of an Empirick, to stifle the present Pain, but with certain Prospect of sudden and terrible Returns. When a Child grows easie and content by being humoured; and when a Lover becomes satisfied by small Compliances, without further Pursuits; then expect to find Popular Assemblies content with small Concessions. If there could one single Example be brought from the whole Compass of History, of any one Popular Assembly, who after beginning to contend for Power, ever sate down quietly with a certain Share: Or, if one Instance could be produced of a Popular Assembly, that ever knew, or proposed, or declared what share of Power was their due; then might there be some hopes, that it were a Matter to be adjusted, by Reasonings, by Conferences, or Debates: But since all that is manifestly otherwise, I see no Course to be taken in a settled State, but a steddy constant Resolution in those to whom the rest of the Balance is entrusted, never to give way so far to Popular Clamours, as to make the least Breach in the Constitution, through which a Million of Abuses and Encroachments will certainly in time force their way.

Again, from this Deduction, it will not be difficult to gather and assign certain Marks of Popular Encroachments; by observing of which, those who hold the Balance in a State, may judge of the Degrees, and by early Remedies and Application, put a Stop to the fatal Consequences that would otherwise ensue. What those Marks are, has been at large deduced, and need not be here repeated.

Another Consequence is this: That (with all Respect for popular Assemblies be it spoke) it is hard to recollect one Folly, Infirmity or Vice, to which a single Man is subjected, and from which a Body of Commons either collective or represented can be wholly exempt. For, besides that they are composed of Men with all their Infirmities about them; they have also the ill Fortune to be generally led and influenced by the very worst among themselves; I mean, *Popular Orators*, *Tribunes*, or as they are now stiled, *Great Speakers*, *Leading Men*, and the like. From whence it comes to pass, that in their Results we have sometimes found the same Spirit of Cruelty and Revenge, of Malice and Pride; the same Blindness and Obstinacy, and Unsteadiness; the same ungovernable Rage and Anger; the same Injustice, Sophistry, and Fraud, that ever lodged in the Breast of any Individual.

Again, In all Free States the Evil to be avoided is Tyranny: That is to say, the *Summa Imperii*, or unlimited Power solely in the Hands of the *One*, the *Few*, or the *Many*. Now, we have shewn, that although most Revolutions of Government in *Greece* and *Rome* began with the Tyranny of the People, yet they generally concluded in that of a Single Person; so that an usurping Populace is its own *Dupe*; a meer Underworker, and a Purchaser in Trust for some Single Tyrant, whose State and Power they advance to their own Ruin, with as blind an Instinct, as those Worms that die with weaving magnificent Habits for Beings of a Superior Nature to their own.

## CHAP. V.

Some Reflections upon the late publick Proceedings among us, and that variety of Factions into which we are still so intricatly engaged, gave Occasion to this Discourse. I am not conscious that I have forced one Example, or put it into any other Light than it appeared to me, long before I had Thoughts of producing it.

I cannot conclude without adding some particular Remarks upon the present Posture of Affairs and Dispositions in this Kingdom.

The Fate of Empire is grown a common place: That all Forms of Government having been instituted by Men, must be mortal like their Authors, and have their Periods of Duration limited as well as those of private Persons, this is a Truth of vulgar Knowledge and Observation: But there are few who turn their Thoughts to examine how those Diseases in a State are bred, that hasten its End; which would however be a very useful Enquiry. For tho' we cannot prolong the Period of a Commonwealth beyond the Decree of Heaven, or the Date of its Nature, any more than Human Life beyond the Strength of the Seminal Virtue; yet, we may manage a sickly Constitution, and preserve a strong one; we may watch and prevent Accidents; we may turn off a great Blow from without, and purge away an ill Humour that is lurking within: And by these, and other such Methods, render a State long-lived, tho' not immortal. Yet some Physicians have thought, that if it were practicable to keep the several Humours of the Body, in an exact equal Balance of each with its opposite, it might be immortal; and so perhaps would a political Body, if the Balance of Power could be always held exactly even. But I doubt, this is as impossible in the Practice as the other.

It has an Appearance of Fatality, and that the Period of a State approaches, when a Concurrence of many Circumstances both within and without, unite toward its Ruin; while the whole Body of the People are either stupidly negligent, or else giving in with all their Might, to those very Practices that are working their Destruction. To see whole Bodies of Men breaking a Constitution by the very same Errors that so many have been broke before; To observe opposite Parties, who can agree in nothing else, yet firmly united in such Measures as must certainly ruin their Country; In short, to be encompass'd with the greatest Dangers from without, to be torn by many

virulent Factions within; then to be secure and sensless under all this, and to make it the very least of our Concern; These and some others that might be named, appear to me to be the most likely Symptoms in a State, of a *Sickness unto Death.*

*Quod procul à nobis flectat Fortuna gubernans:*
*Et ratio potius, quam res persuadeat ipsa.* Lucr.

There are some Conjunctures wherein the Death or Dissolution of Government is more lamentable in its Consequences than it would be in others. And, I think, a State can never arrive to its Period in a more deplorable *Crisis*, than at a time when some *Prince in the Neighbourhood*, of vast Power and Ambition lies hovering like a Vulture to devour, or at least, dismember its dying Carcass; by which means it becomes only a Province or Acquisition to some mighty Monarchy, without hopes of a Resurrection.

I know very well, there is a Set of sanguine Tempers, who deride and ridicule in the Number of Fopperies all such apprehensions as these. They have it ready in their Mouths, that the People of *England* are of a Genius and Temper, never to admit Slavery among them; and they are furnish'd with a great many common places upon that Subject. But, it seems to me, that such Discoursers do reason upon short Views, and a very moderate compass of Thought. For, I think it a great Error to count upon the Genius of a Nation as a standing Argument in all Ages; since there is hardly a Spot of Ground in *Europe*, where the Inhabitants have not frequently and entirely changed their Temper and Genius. Neither can I see any Reason why the Genius of a Nation should be more fixed in the Point of Government, than in their Morals, their Learning, their Religion, their common Humour and Conversation, their Diet, and their Complexion; which do all notoriously vary almost in every Age, and may every one of them have great Effects upon Mens Notions of Government.

Since the *Norman* Conquest, the Balance of Power in *England* has often varied and sometimes been wholly overturned; the Part which the Commons had in it, *that most disputed Point in its Original, Progress and Extent*, was, by their own Confessions, but a very inconsiderable share. Generally speaking, they have been gaining ever since, tho' with frequent Interruptions, and slow Progress. The abolishing of *Villanage*, together with the Custom introduced (or permitted) among the Nobles of selling their Lands in the Reign of *Henry* the Seventh, was a mighty Addition to the Power of the Commons; yet I think a much greater happened in the time of his Successor, at the Dissolution of the Abbies. For this turned the *Clergy* wholly out of the Scale, who had so long filled it; and placed the *Commons* in their stead; who in a few Years became possessed of vast Quantities of those and other Lands, by Grant or Purchase. About the middle of Queen *Elizabeth*'s Reign, I take the Power between the Nobles and the Commons to have been in more equal Balance, than it was ever before or since. But then, or soon after, arose a Faction in *England*, which under the Name of Puritan, began to grow Popular, by molding up their new Schemes of Religion with Republican Principles in Government; and gaining upon the *Prerogative*, as well as the *Nobles*, under several Denominations for the space of about sixty Years, did at last overthrow the Constitution, and according to the usual course of such Revolutions, did introduce a Tyranny, first of the People, and then of a single Person.

In a short time after, the old Government was revived. But the Progress and Affairs for almost Thirty Years under the Reigns of two weak Princes, is a Subject of a very different Nature; when the Balance was in danger to be overturned by the Hands that held it, which was at last very seasonably prevented by the late Revolution. However, as it is the Talent of human Nature to run from one Extream to another; so, in a very few Years we have made mighty Leaps from Prerogative Heights into the

Depths of Popularity; and I doubt, to the very last degree that our Constitution will bear. It were to be wish'd, that the most August Assembly of the Commons would please to form a *Pandect* of their own Power and Privileges, to be confirmed by the entire Legislative Authority, and that in as solemn a manner (if they please) as the *Magna Charta*. But to fix one Foot of their Compass wherever they think fit, and extend the other to such terrible Lengths, without describing any Circumference at all, is to leave us and themselves in a very uncertain State, and in a sort of *Rotation*, that the Author of the *Oceana* never dreamt on. I believe the most hardy Tribune will not venture to affirm at present, that any just Fears of Encroachment are given us from the Regal Power or the *Few*: And, is it then impossible to err on the other side? How far must we proceed, or where shall we stop? *The Raging of the Sea*, and *the Madness of the People* are put together in Holy Writ; and 'tis God alone who can say to either, *Hitherto shalt thou pass, and no further.*

The Balance of Power in a limited State is of such absolute Necessity, that *Cromwell* himself, before he had perfectly confirmed his Tyranny, having some Occasions for the Appearance of a Parliament, was forced to create and erect an entire new House of Lords (such as it was) for a Counterpoise to the Commons. And indeed, considering the vileness of the Clay, I have sometimes wonder'd, that no Tribune of that Age durst ever venture to ask the *Potter*, *What dost thou make?* But it was then about the last Act of a Popular Usurpation, and *Fate* or *Cromwell* had already prepared them for that of a single Person.

I have been often amazed at the rude, passionate and mistaken Results, which have at certain Times fallen from great Assemblies both Antient and Modern, and of other Countries as well as our own. This gave me the Opinion I mentioned a while ago, That publick Conventions are liable to all the Infirmities, Follies and Vices of private Men. To which, if there be any Exception, it must be of

such Assemblies who act by *universal Concert, upon Publick Principles, and for Publick Ends*; such as proceed upon Debates without *unbecoming Warmths*, or *Influence from particular Leaders and Inflamers*; such, whose Members instead of *canvassing to procure Majorities for their private Opinions, are ready to comply with general sober Results, tho' contrary to their own Sentiments*. Whatever Assemblies act by these and other Methods of the like Nature, must be allowed to be exempt from several Imperfections to which particular Men are subjected. But I think the Source of most Mistakes and Miscarriages in Matters debated by Publick Assemblies, arises from the Influence of private Persons upon great Numbers; stiled in common Phrase, *Leading Men and Parties*. And therefore, when we sometimes meet a *few Words* put together, which is called the *Vote* or *Resolution* of an Assembly, and which we cannot possibly reconcile to *Prudence* or *Publick Good*, it is most charitable to conjecture that such a Vote has been conceived, and born and bred in a private Brain, afterwards raised and supported by an obsequious Party, and then with usual Method confirmed by an *artificial* Majority. For, let us suppose five hundred Men, mixt in point of Sense and Honesty, as usually Assemblies are: And let us suppose these Men, proposing, debating, resolving, voting, according to the meer natural Motions of their own little or much Reason and Understanding; I do allow, that abundance of indigested and abortive, many pernicious and foolish Overtures would arise and float a few Minutes; but then they would die and disappear. Because, this must be said in behalf of Human kind, that common Sense and plain Reason, while Men are disengaged from acquired Opinions, will ever have some general Influence upon their Minds; whereas the species of Folly and Vice are infinite, and so different in every Individual, that they could never procure a Majority, if other Corruptions did not enter to pervert Mens Understandings, and misguide their Wills.

To describe how Parties are bred in an Assembly,

would be a Work too difficult at present, and perhaps not altogether safe. *Periculosæ plenum opus aleæ*. Whether those who are Leaders, usually arrive at that Station more by a sort of Instinct, or secret Composition of their Nature, or Influence of the Stars, than by the Possession of any great Abilities, may be a Point of much Dispute. But when the Leader is once fixed, there will never fail to be Followers. And Man is so apt to *imitate*, so much of the Nature of *Sheep*, (*Imitatores*, *servum Pecus*) that whoever is so bold to give the first *great Leap over the Heads of those about him*, (tho' he be the worst of the Flock) shall be quickly followed by the rest. Besides, when Parties are once formed, the Stragglers look so ridiculous, and become so insignificant, that they have no other way, but to run into the Herd, which at least will hide and protect them; and where to be much considered, requires only to be very violent.

But there is one Circumstance with Relation to Parties, which I take to be of all others most pernicious in a State; and I would be glad any Partisan would help me to a tolerable Reason, that because *Clodius* and *Curio* happen to agree with me in a few singular Notions, I must therefore blindly follow them in all: Or, to state it at best, that because *Bibulus* the *Party-man* is persuaded that *Clodius* and *Curio* do really propose the Good of their Country as their chief End; therefore *Bibulus* shall be wholly guided and governed by them, in the Means and Measures towards it. Is it enough for *Bibulus* and the rest of the Herd to say without further examining, *I am of the side with* Clodius, *or I vote with* Curio? Are these proper Methods to form and make up what they think fit to call the *united Wisdom of the Nation*? Is it not possible, that upon some Occasions *Clodius* may be bold and insolent, born away by his Passion, malicious and revengeful; that *Curio* may be corrupt and expose to sale his Tongue or his Pen. I conceive it far below the Dignity both of Human Nature, and Human Reason, to be engaged in any Party, the most plausible soever, upon such servile Conditions.

This Influence of *One* upon *Many*, which seems to be as great in a People *Represented*, as it was of old in the Commons *Collective*, together with the Consequences it has had upon the Legislature; has given me frequent Occasion to reflect upon what *Diodorus* tells us of one *Charondas*, a Lawgiver to the *Sybarites*, an antient People of *Italy*; who was so averse to all Innovation, especially when it was to proceed from particular Persons: And I suppose, that he might put it out of the Power of Men fond of their own Notions, to disturb the Constitution at their Pleasures by advancing private Schemes; that he provided a Statute, that whoever proposed any Alteration to be made, should step out, and do it with a Rope about his Neck: If the Matter proposed, were generally approved, then it should pass into a Law; if it went in the Negative, the Proposer to be immediately *hang'd*. Great Ministers may talk of what Projects they please; but I am deceived, if a more effectual one could ever be found for *taking off* (as the present Phrase is) those hot, unquiet Spirits, who disturb Assemblies, and obstruct Publick Affairs, by gratifying their Pride, their Malice, their Ambition, or their Avarice.

Those who in a late Reign began the Distinction between the *Personal* and *Politick* Capacity, seem to have had Reason, if they judged of Princes by themselves; for, I think, there is hardly to be found thro' all Nature, a greater Difference between two Things, than there is between a Representing Commoner in the Function of his Publick Calling, and the same Person, when he acts in the common Offices of Life. Here, he allows himself to be upon a Level with the rest of Mortals: Here, he follows his own Reason, and his own Way; and rather affects a Singularity in his Actions and Thoughts, than servilely to copy either from the wisest of his Neighbours. In short, here his Folly, and his Wisdom, his Reason, and his Passions, are all of his own Growth, not the Eccho or Infusion of other Men. But when he is got near the Walls of his Assembly, he assumes and affects an entire Set of

very different Airs; he conceives himself a Being of a Superiour Nature to those *without*, and acting in a Sphere where the vulgar Methods for the Conduct of Human Life can be of no Use. He is listed in a Party where he neither knows the Temper, nor Designs, nor perhaps the Person of his Leader; but whose Opinions he follows and maintains with a Zeal and Faith as violent, as a young Scholar does those of a Philosopher, whose Sect he is taught to profess. He has neither Opinions, nor Thoughts, nor Actions, nor Talk, that he can call his own, but all conveyed to him by his Leader, as Wind is thro' an Organ. The Nourishment he receives has been not only *chewed*, but *digested* before it comes into his Mouth. Thus instructed, he follows the *Party* right or wrong thro' all its Sentiments, and acquires a Courage and Stiffness of Opinion not at all congenial with him.

This encourages me to hope, that during this lucid Interval, the Members retired to their Homes, may suspend a while their *acquired Complexions*, and taught by the Calmness of the Scene and the Season, reassume the native sedateness of their Temper. If this should be so, it would be wise in them, as individual and private Mortals, to look back a little upon the Storms they have *raised*, as well as those they have *escaped*: To reflect, that they have been Authors of a new and wonderful Thing in *England*, which is, for a House of Commons to lose the universal Favour of the Numbers they represent; To observe, how those whom they thought fit to persecute for Righteousness sake, have been openly caress'd by the People; and to remember how themselves sat in fear of their Persons from popular Rage. Now, if they would know the Secret of all this unpresidented Proceeding in their Masters; they must not impute it to their Freedom in Debate, or declaring their Opinions; but to that unparliamentary Abuse of setting Individuals upon their Shoulders, who were hated by God and Man. For, it seems, the Mass of the People, in such Conjunctures as this, have opened their Eyes, and will not endure to be governed by *Clodius* and *Curio* at the

Head of their *Myrmidons*, tho' these be ever so numerous, and composed of their own Representatives.

This Aversion of the People to the late Proceedings of the Commons, is an Accident, that if it last a while, might be improved to good Uses for setting the Balance of Power a little more upon an Equality, than their late Measures seem to promise or admit. This Accident may be imputed to two Causes. The first, is an universal Fear and Apprehension of the Greatness and Power of *France*, whereof the People in general seem to be very much and justly possess'd, and therefore cannot but resent to see it in so critical a Juncture, wholly laid aside by their Ministers, the Commons. The other Cause, is a great Love and Sense of Gratitude in the People towards their present King, grounded upon a long Opinion and Sense of his Merit, as well as Concessions to all their reasonable Desires; so that it is for some time they have begun to say, and to fetch Instances where he has in many things been hardly used. How long these Humours may last, (for Passions are momentary, and especially those of a Multitude) or what Consequences they may produce, a little time may discover. But whenever it comes to pass, that a popular Assembly, free from such obstructions, and already possess'd of more Power, than an equal Balance will allow, shall continue to think they have not enough, but by cramping the Hand that holds the Balance, and by Impeachments or Dissensions with the Nobles, endeavour still for more; I cannot possibly see in the common course of things, how the same Causes can produce different Effects and Consequences among us, than they did in *Greece* and *Rome*.

There is one thing I must needs add, tho' I reckon it will appear to many as a very unreasonable Paradox. When the Act Passed some years ago against Bribing of Elections; I remember to have said upon occasion, to some Persons of both Houses, that we should be very much deceived in the Consequences of that Act: And upon some Discourse of the Conveniences of it, and the contrary

(which will admit Reasoning enough) they seem'd to be of the same Opinion. It has appear'd since, that our Conjectures were right: For I think the late Parliament was the first-fruits of that Act; the Proceedings whereof, as well as of the present, have been such, as to make many Persons wish that things were upon the old Foot in that matter. Whether it be that so great a Reformation was too many Degrees beyond so corrupt an Age as this; or that according to the present turn and disposition of Men in our Nation, it were a less abuse to Bribe Elections, than leave them to the discretion of the Chusers. This at least was *Cato*'s Opinion, when things in *Rome* were at a Crisis, much resembling ours; who is recorded to have gone about with great Industry, dealing Mony among the People to favour *Pompey* (as I remember) upon a certain Election in opposition to *Cæsar*; And he excused himself in it upon the necessities of the occasion, and the corruptions of the People; an Action that might well have excus'd *Cicero*'s censure of him, that he reasoned and acted, *tanquam in Republica Platonis, non in fæce Romuli.* However it be, 'tis certain that the Talents which qualifie a Man for the Service of his Country in Parliament, are very different from those which give him a dexterity at making his court to the People; and do not often meet in the same subject. Then for the moral part, the difference is inconsiderable; and whoever practices upon the Weakness and Vanity of the People, is guilty of an immoral action as much as if he did it upon their Avarice. Besides, the two Trees may be judged by their Fruits. The former produces a set of popular Men, fond of their own Merits and Abilities, their Opinions, and their Eloquence; whereas the bribing of Elections seems to be at worst, but an ill means of keeping things upon the old foot, by leaving the defence of our Properties, chiefly in the hands of those who will be the greatest sufferers, whenever they are endangered. It is easie to observe in the late and present Parliament, that several Boroughs and some Counties have been represented by Persons, who little thought to

have ever had such hopes before: And how far this may proceed, when such a Way is lay'd open for the Exercise and Encouragement of popular Arts, one may best judge from the Consequences that the same Causes produced both in *Athens* and *Rome*. For, let Speculative Men Reason, or rather Refine as they please; it ever will be true among us, that as long as men engage in the Publick service upon private Ends, and whilst all Pretences to a Sincere *Roman* Love of our Country, are lookt upon as an Affectation, a Foppery, or a Disguise; (which has been a good while our Case, and is likely to continue so;) it will be safer to trust our Property and Constitution in the hands of such, who have pay'd for their Elections, than of those who have obtained them by servile Flatteries of the People.

*FINIS.*

# NOTES

[1] Allen cites Sir William Temple, *Miscellanea*, 1680, p. 90: 'the frequent tumults, seditions, and alterations in the Commonwealths of *Athens* and *Rome*.' Cf. 'Dissentions between the *Nobles* and *Commons*, with the Consequences of them, in *Greece* and *Rome*' (I. 312–13).

[2] Lucretius, *De rerum natura*, ii. 1042–3.

## CHAPTER I

*l.* 4. Cf. Temple, *Miscellanea*, 1680, p. 54: '*Power . . . is always in those that are governed.*' This was one of the few issues in 1701 on which Whig and Tory could agree.

*l.* 16. The Tories denied that the power, once it was delegated, remained with the people; *England's Enemies Exposed*, 2d ed., 1701, p. 30: 'the Power of Electing Members to serve in Parliament, is the sole Right of the Electors; but as soon as they have made their Choice . . . the Power and Rights of the Electors devolves intirely upon their Representatives. . . . [The electors] have no Power to compel their Members to Vote or Act . . . tho' the whole Country . . . were of a contrary Opinion to that of their Representatives.'

*l.* 17. Cf. Aristotle, *Politica*, 1279a: 'the government, which is the supreme authority in states, must be in the hands of one, or of a few, or of the many'; Polybius, vi. 4; Locke, *Two Treatises of Government*, 1690, p. 351.

*l.* 23. On the issue of the *origins* of political power, on which Temple and Locke were in total disagreement, Swift pointedly refuses to commit himself.

*l.* 25. The issue of the *division* of powers was one other on which Whig and Tory were agreed. Although Hobbes had insisted that the *summum imperium* was indivisible, the Tories now agreed with Swift that in a 'Mixt Government . . . the States (or *Tres Ordinis Regni*) are so mixt, as the Soveraignty is joyntly in them all . . . as in [a] Corporation' (J. H., *Letters to Parliament-Men in Reference to Some Proceedings in The House of Commons During the Last Session*, [December]1701, p. 21).

*l.* 30. This sentence introduces the 'way of Allegory'. 'One eminent Spirit' is William III; the two other 'Powers' are, of course, the two Houses of Parliament. 'After a sort' is probably ironical. William's 'minding Affairs so little' is a constant complaint of Bishop Burnet. In 1689 when Halifax urged the new King to attend debates in the House of Lords, he noted that William 'was extreamely averse from coming to the house, Saying with some

anger, that hee had no time for it' (*The Life and Letters of Sir George Savile, Bart., First Marquis of Halifax*, ed. H. C. Foxcroft, 2 vols., 1898, ii. 244).

*l.* 80. Cf. *The History of the Four Last Years of the Queen*: 'where the Prince holds the Balance between Two great Powers, the Nobility and People; It is of the very nature of his Office to remove from One Scale into Another; or sometimes put his own Weight into the lightest, so to bring both to an Equilibrium' (*Prose*, vii. 20–21).

*l.* 95. The Tories in general used the word 'tyranny' in the limited sense in which James Harrington had defined it in *The Rota*: 'The Government of one against the Balance, is Tyranny' (*The Rota: Or, A Model of a Free-state, or Equall Commonwealth: Once Proposed and Debated in Brief, and to be Again More at Large Proposed*, 1660, p. 3), but Swift is about to elaborate a new concept, namely that there is no safety in numbers. More particularly it was Charles Davenant who had 'grosly' misrepresented William's ambition and insinuated that tyranny could be imposed only by '*One*', not by 'the *Few*, or the *Many*': 'Princes . . . are never satisfied till they can grasp the whole' (*Essays Upon I. The Ballance of Power*, [March] 1701, sig. $R2^{v}$–$R3^{r}$).

*l.* 100. Cf. Locke, *Two Treatises of Government*, 1690, pp. 422–3: '"Tis a Mistake, to think this Fault [tyranny] is proper only to Monarchies, other Forms of Government are liable to it, as well as that: for where-ever the Power, that is put in any hands, for the Government of the People, and the Preservation of their Properties, is applied to other ends . . . it presently becomes Tyranny, whether those, that thus use it, are one or many. Thus we read of the Thirty Tyrants at *Athens*, as well as one at *Syracuse*; and the intolerable Dominion of the *Decemviri* at *Rome*, was nothing better.' The Thirty Tyrants and the Decemviri are among the examples which Swift cites below.

*l.* 115. *Dionys, Halicarn. lib.* 10 [Swift's marginal note]. Actually the paragraph abridges Dionysius, x. 54–xi. 46. The 'Lady of great Virtue' is Verginia and her would-be abductor is the decemvir Appius Claudius. The earlier rape of Lucretia by Sextus Tarquinius, which 'gave Occasion to the Expulsion of the Regal Power', is recounted in Dionysius, iv. 64–67.

*l.* 120. Plutarch, *Cleomenes*, x. 2–3. Cf. Sir Thomas North's translation: 'the kings being alwaies employed in that warre, whereby they could not attend the affairs of the common wealth at home, did choose certaine of their frendes to sit in iudgement in their steades, to determine controversies of lawe: which were called Ephores, and did governe long time as the kinges ministers, howbeit that afterwards, by litle and litle, they tooke apon them absolute government by them selves . . . licentiously abusing their authoritie' (*The Lives of the Noble Grecians and Romanes, Compared . . .: Translated . . . by Thomas North*, 1579, p. 860).

*l.* 126. *Thucid. lib.* 8 [67–68, 82, 92–95] [Swift's marginal note].

*l.* 135. *Xenoph. de Rebus Graec.* l[ib]. 2. [iii. 1–22] [Swift's marginal note].

*l.* 144. [Xenophon,] *Memorab. lib. 3.* [vi. 14] [Swift's marginal note].

*l.* 151. *Polyb. Frag. lib. 6.* [51] [Swift's marginal note]. Swift translates Polybius's 'oligarchia' (vi. 4)—'dominatum . . . paucorum' in the Latin version of Casaubon—as '*Oligarchy*, or Tyranny of the *Few*'. But he renders Polybius's 'ochlocracia'—'dominatum . . . turbae vulgaris' in the Latin—more consistently than the Latin, and very pointedly, as '*Dominatio Plebis*, or *Tyranny of the Commons*' (Polybius, *Historiae*, ed. Isaac Casaubon, Paris, 1609, p. 452).

*l.* 152. [Diodorus Siculus,] *lib. 20.* [10] [Swift's marginal note]. Diodorus nowhere states that the murder of generals was an established custom among the Carthaginians. What he does say is that 'they bring false charges against them through envy and load them with fines', but George Booth translated the latter clause 'put them to death', and Swift, whether wittingly or not, repeats Booth's error (Diodorus, *The Historical Library . . . Made English, By G. Booth*, 2 vols., 1700, ii. 661).

*l.* 166. [Diodorus Siculus,] *lib. 15.* [58] [Swift's marginal note]. The phraseology may have been influenced by George Booth's translation: '*Argos* was Govern'd by a Democracy; the Orators, and those that affected Popularity, stirr'd up the Mob . . . so that there were Executed above Sixteen hundred of the greatest and most powerful Men of the City: Neither were the Orators themselves spar'd; for when they slack'd in the Prosecution of Calumnies . . . the People concluded that they had deserted their Cause, which put them into such a ferment of Rage and Fury, that they kill'd all the Orators that were then in the City; which seem'd to be Executed upon them by . . . some revenging Deity, as a reward of their Villanies' (Diodorus, *The Historical Library . . . Made English, By G. Booth*, 2 vols., 1700, ii. 433). These lines state the major cautionary theme of the *Discourse*. Cf. III. 266 *n*.

*l.* 171. Swift is contradicting Davenant: 'these Swarms from the North . . . chang'd every thing, introducing . . . new Customs, other Manners, Languages, different ways of making War, new Laws, and new Forms of Government. . . . And whoever looks into the Antient Constitutions of *England*, *France*, *Spain*, *Denmark* and *Sweeden*, will find, that all these Nations, had one and the same Form of Government; and tho' they might very in some Circumstances, yet they all agreed in certain Fundamentals, which were, That the People should have their Rights and Priviledges; That the Nobles, or Men of Chief Rank, should have some Participation of Power, and That the Regal Authority should be limited by Laws' (*A Discourse upon Grants and Resumptions*, [November 1699, but dated] 1700, pp. 91–92). Cf. *Essays Upon I. The Ballance of Power*, [March] 1701, p. 236.

*l.* 179. [Polybius,] *Frag. lib. 6.* [3] [Swift's marginal note]. The Latin phrases derive from Casaubon's translation: 'tres Rerumpublicarum formas

enumerent; quarum unam vocant regnum, alteram optimatium principatum, tertiam populi imperium . . . quum eam Rempublicam censeri debere optimam liquidò constet, quae ex omnibus illis quas diximus formis sit composita' (Polybius, *Historiae*, ed. Isaac Casaubon, Paris, 1609, pp. 451–2).

*l.* 189. [Polybius, vi. 10] [Swift's marginal note, Id. ib.]: 'As for the *Romans*, tho they have arriv'd at the same End, in the establishing of their Commonwealth, they have not done it by the Force of *Reason* and *Discourse*' (*The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 15–16).

*l.* 192. Polybius, vi. 51.

*l.* 201. The irony is directed at Davenant's insistence that his writings, which were extremely inflammatory and divisive in their tendency, were undertaken solely as a public service: 'This Diabolical Practice' had already been noticed (*Animadversions on a Late Factious Book, Entitled, Essays upon I. The Ballance of Power*, [May] 1701, p. 13).

*l.* 204. Swift probably alludes to the Commons' arrest and imprisonment of the five Kentish Petitioners in May 1701. A Whig broadside, *Some Queries, which may deserve Consideration*, [August] 1701, referring to the same event, asks very pointedly 'Whether, as the Case stands, the *Habeas Corpus* Act be a sufficient Security for the Liberty of the Subject? And whether Arbitrary Power be not less terrible in the Hands of One, than of Many; since in the first Case Shame or Pity may sometimes prevail, but never in the other?' Cf. Temple, *Miscellanea*, 1680, pp. 49–50: 'popular tumults have worse effects upon common safety than the rankest Tyranny.'

*l.* 215. The clearest illustration of the bitter partisan conflict over the issue of 'the Limits of Power' occurred in June 1701. The Lords concluded a routine message to the Commons by observing that the best way to preserve good correspondence between the Houses was 'for neither of the two Houses to exceed those limits which the law and custom of Parliaments had already established'. Twenty-two lords, including all the Tory ministers, promptly protested, 'Because we know not that the law and custom of Parliaments have established any certain limits' (J. E. Thorold Rogers, *The Protests of the Lords*, 3 vols., Oxford, 1875, i. 153); cf. V. 124.

*l.* 221. Swift's conclusion, that contentions between the legislative branches of a government invariably terminate, by a kind of historical law, in dictatorship, had already been formulated by Temple: 'Authority contracting it self (as it seems naturally to do till it ends in a point or single Person)' (*Miscellanea*, 1680, p. 75).

*l.* 226. '*The Power of Impeachments* therefore in the Commons, seems to be an *Original Inherent Right in the People of* England, *reserv'd to them in the first Institution of the Government by the Law of Nature, and Self-preservation, for the Common Security of their Just Rights and Liberties*' ([Sir

Humphrey Mackworth,] *A Vindication of the Rights of the Commons of England*, [August] 1701, p. 32).

*l.* 229. Among the unprecedented or lapsed powers which the House of Commons exercised or demanded during the impeachment proceedings were the following: (1) the right to petition the King to remove from his presence and Council for ever the four Lords Partitioners before they were tried; (2) the right to imprison the five Kentish petitioners in the Gate House without bail; (3) the right to demand that the accused lords give 'sufficient security to abide the Judgment of the House of Lords'; (4) the right to appoint the day for the trial; (5) the right to demand that at their trials the accused lords sit outside the Bar, as criminals; (6) the right to exclude the accused lords from sitting as Judges in each other's trials; (7) the right to demand a committee of both Houses to determine trial procedure. It is difficult not to suspect, in all these complex parliamentary manœuvres, the hand of Robert Harley, whose 'unparalled'd Ability in Parliamentary Affairs' is attested by John Toland (*Anglia Libera*, [June] 1701, p. 50).

*l.* 237. The power of Parliament was traditionally assumed to be 'double': legislative and declarative (of its own rights and privileges). The legislative power, it was agreed, had 'no bounds', but the declarative power was thought to be limited by the common law. Thus Sir Heneage Finch, at the trial of Clarendon in 1667, maintained 'tho' I know not what the *Legislative* power of a parliament cannot do, yet it is not in the power of the Parliament, King, Lords, nor Commons to declare any thing to be Treason, which is not in the Common-Law a felony before' (*The Proceedings in the House of Commons Touching the Impeachment of Edward Late Earl of Clarendon*, [September] 1700, p. 9). Now, however, by addressing the King to remove the accused Whig lords from his presence and Council before they were tried, the Commons was in effect *declaring* them to be guilty. 'Cette conduite irregulière et emportée', as Bonet called it, seemed to usurp both the King's power of choosing his ministers and the Lords' power of trying ministers upon impeachment charges. Yet the Tory pamphleteers were in fact urging the Commons to wield 'the whole Power' ([James Drake,] *The History of the Last Parliament*, 1702, p. 141).

*l.* 242. The reference is to the manœuvre known as 'tacking', by which the House of Commons enforced enactment of legislation by attaching it to supply bills. The Bill creating the Commission for taking an Account of the forfeited Estates in Ireland in April 1699, the Resumption Bill vesting title to the forfeited estates in thirteen trustees in April 1700, and the Bill empowering the trustees to sell the resumed estates in April 1701, were all tacked to supply bills.

*l.* 249. Davenant maintained that the very size and importance of the forfeited estates in Ireland had created new responsibilities, which in turn required new powers, for the House of Commons. He argued that 'the

People' had the power to divert the confiscated estates into the public treasury because 'the Ballance of Property, which is the Ballance of Power,' had fallen into their hands (*Essays upon I. The Ballance of Power*, [March] 1701, pp. 234–5). According to John Toland, it was Sir James Harrington who first propounded this 'most dangerous Tenet' which the Tories had embraced: 'THAT *Empire follows the Balance of Property*, whether lodg'd in one, in a few, or in many hands, he was the first that ever made out; and is a noble Discovery' (*The Oceana of James Harrington, Esq; And His Other Works . . . with an Exact Account of His Life Prefix'd by J. Toland*, [August] 1700, p. xviii).

*l.* 254. Although the Lords Partitioners were acquitted in June 1701, Poussin reported on 7 July: 'Cette affaire, loin d'être finie, sera . . . reprise par les communes à l'ouverture de la nouvelle session, même avec plus de chaleur qu'elles n'en ont euë dans la derniere' (P.R.O. Transcripts, 3 (France) 189, f. 5$^{v}$). In September Vernon warned the King, who was at Loo, that 'it looks as if great violence were intended next Sessions and that nothing would satisfy but the utter subduing of those they have sett themselves against' (B.M. Add. MS. 40775, vol. v, f. 116).

*l.* 256. This is another reference to the Commons' address to the King to remove the Lords Partitioners from his presence and Council before they were tried. See p. 49, above, and I. 237 *n.*

*l.* 266. Herodotus, i. 29; cf. Aristotle, *Constitution of Athens*, 11–12; Plutarch, *Solon*, 25.

*l.* 284. Cf. Temple, *Miscellanea, The Third Part*, [October] 1701, pp. 13–14: 'No civil or politick Constitutions, can be perfect or secure, whilst they are composed of Men, that are for the most part Passionate, Interessed, Unjust, or Unthinking, but generally and naturally, Restless, and Unquiet; Discontented with the Present, and what they have, Raving after the Future, or something they want, and thereby ever disposed and desirous to change.'

## CHAPTER II

*l.* 12. Thucydides, i. 2.

*l.* 19. Plutarch, *Theseus*, 24, 35.

*l.* 32. Plutarch, *Solon*, 1, 13, 15, 18–19. Swift's reservation of a share of the *summum imperium* for 'the People collective' derives not from classical sources but from Locke: 'there remains still in the People a Supream Power to remove or alter the Legislative, when they find the Legislative act contrary to the trust reposed in them' (*Two Treatises of Government*, 1690, pp. 369–70). This was violently opposed by the Tories; cf. I. 16 *n.*

*l.* 37. *Herodot.* lib. 1. [59] [Swift's marginal note]; cf. Aristotle, *Politica*, 1273$^{b}$–4$^{a}$.

*l.* 92. Of the four lords impeached for high crimes and misdemeanors in 1701, none was specifically accused of 'Bribery'. 'Arbitrary Proceedings' applies to Somers; Article 14 of the charges against him claimed that he had 'made divers arbitrary and illegal Orders, in Subversion of the Laws and Statutes of this Realm . . .; assuming thereby to himself an arbitrary and illegal Power' (*C.J.* xiii. 550). Somers, Montagu, and Russell were all accused of embezzlement in some form. (No articles were ever presented against Portland.) 'Ill Conduct at Sea' refers specifically to Russell. Article 8 of the charges against him alleged that despite 'many Opportunities of taking or destroying the Ships belonging to the *French* King, the said Earl . . . did suffer and permit the said Ships to return safe into their own Harbours [following Russell's victory off La Hougue in May 1692]' (*C.J.* xiii. 521).

*l.* 96. Miltiades is Edward Russell, Commander-in-chief of the Fleet, 1st Lord of the Admiralty, and Treasurer of the Navy, during the War of the League of Augsburg. His 'famous Victory' off La Hougue in May 1692 was one of the few successes of this war. Russell's alleged failure to exploit this victory was made the subject of a parliamentary inquiry and, although absolved of any blame by the House of Commons, he was forced temporarily to resign his command. When he was impeached in April 1701 this old charge became Article 8 in the proceedings against him. The source of the classical analogue is Cornelius Nepos, *Miltiades*, 4, 7.

*l.* 108. Aristides is John Somers, Baron Somers of Evesham. 'The mighty Service he had done his Country' included defending the Seven Bishops in 1688 and serving as manager of the Commons' committee which drafted the Declaration of Rights in February 1689. He was Lord Chancellor of England from April 1697 to April 1700. He was also president of the Royal Society (1699–1704), and, as Hawkesworth has noted (iii. 23), 'the general patron of the literati'. His major offence, as Sunderland told the King, was that he was 'the life, the soul, and the spirit of his party' (*Miscellaneous State Papers*, ed. Philip Yorke Hardwicke, 2 vols., 1778, ii. 446). He was impeached on 14 Apr. 1701. The source of the classical analogue is Plutarch, *Aristides*, 6–8.

*l.* 126. Themistocles also is Edward Russell, whose father was a younger son of Francis Russell, 4th Earl of Bedford. Before his elevation to the peerage as Earl of Orford in May 1697 he served as M.P. for Launceston, Portsmouth, and Cambridgeshire successively. Hawkesworth (ii. 39) was the first to note that for two of the impeached lords Swift uses more than one classical analogue (cf. IV. 66 *n.*). Actually Swift uses Miltiades, Themistocles, and Alcibiades for Russell; Pericles and Alcibiades for Montagu. Sir Walter Scott (iii. 257) was the first to supply a reason for this anomaly: 'six instances are selected from ancient history, to illustrate the four impeachments. . . . There was, perhaps, danger in making the circumstances tally very closely, for the temper of the Commons was for the time too hot to endure argument.' Russell's 'ungovernable temper' was noted

even by his friends. After his 'famous Naval Victory' at La Hougue in May 1692 he was 'banished' (relieved of his command), not 'for five Years', but for ten months (January–November 1693). 'Invitations' from 'the *Persian* Court' refers to a bribe of £20,000 which Louis XIV is alleged to have offered Russell before La Hougue to engage him not to fight but to manœuvre. When Russell reported this to the King, William told him to 'Take the money, and beat them' (Mark Noble, *A Biographical History of England*, 3 vols., 1806, i. 189–90). The source of the classical analogue is Plutarch, *Themistocles*, 1, 10–15, 22–24, 31.

*l.* 140. Pericles is Charles Montagu. Pericles was never impeached, but 'Thucydides and his party kept denouncing [him] for playing fast and loose with the public moneys and annihilating the revenues' (Plutarch, *Pericles*, 14). Pericles diverted public funds into the 'construction of sacred edifices', 'all fully completed in the heyday of a single administration' (ibid. 12–13). Montagu's 'sacred edifices', all fully completed in the hey-day of the Whig junto, were designed to augment, rather than to annihilate, the public revenues. They included the National Debt, the Bank of England, recoinage of the national currency, Exchequer Bills, and a sinking fund known as the General Mortgage. In the second sentence Swift is paraphrasing a resolution of the House of Commons of 16 Feb. 1698. On this occasion the House discovered grants of forfeited lands in Ireland amounting to some £11,000 to one Thomas Railton, who, it was alleged, was a nominee for Charles Montagu. Montagu admitted that the grant had been made for his benefit, and after a long debate a motion that he should withdraw was defeated, 209–97. Before adjournment the house voted a resolution 'That the Honourable *Charles Mountague* Esquire, Chancellor of the Exchequer, for his good Services to this Government, does deserve his Majesty's Favour' (*C.J.* xii. 116). For these services Montagu was raised to the peerage as Baron Halifax of Halifax in December 1700. The source of the classical analogue is Plutarch, *Pericles*, 8–9, 14, 23.

*l.* 152. 'The cases of Miltiades and Themistocles seem to apply to the Earl of Orford; those of Pericles and Alcibiades to Halifax' (Scott, iii. 257). Actually the case of Alcibiades suggests both Russell and Montagu. Montagu, the friend of Matthew Prior, had indeed been 'noted for . . . Frolicks and Excursions', but it was Russell who was 'recalled . . . and made chief Commander at Sea' in November 1693; cf. II. 126 *n.* The source of the classical analogue is Plutarch, *Alcibiades*, 18–20, 23–27, 33, 35–39.

*l.* 176. The reference is to two disasters of William's war which occurred during the time of Russell's banishment. In June 1693 a convoy of merchant ships was surprised by the French fleet in Lagos Bay. About 100 Dutch and English vessels worth £1,500,000 were lost and 'the disgrace of it', as Burnet (ii. 116) observed, 'was visible to the whole World'. In another surprise attack only a month later William's troops deployed south of Louvain were routed and suffered 16,000 casualties. The source of the classical analogue is Plutarch, *Nicias*, 15–30.

*l.* 181. Within a week after his return to England, following the disasters of June–July 1693, William dismissed Nottingham and 'recalled' Russell as 'vice admiral of England, captain general of the narrow seas, and admiral of their majesties fleet' (Luttrell, iii. 221, 223). This action did not, however, answer William's expectations. After the disastrous failure of 'his Lieutenant', Lord Berkeley of Stratton, in an attack on Brest in May 1694 which he opposed, Russell had no more successes at sea and was again forced to resign in December 1697 (John Ehrman, *The Navy in the War of William III*, Cambridge, 1953, pp. 512–16).

*l.* 201. It was Demosthenes who coined the *word* 'Philippize' (*De Corona*, 176), but it was Plutarch who added to the meaning the insinuation of bribery (*Demosthenes*, 19–20). In the present context, to 'Philippize' is to write or speak as one was paid to do with French gold (see pp. 73–79 above).

*l.* 206. Phocion is Willem Bentinck, who commanded a regiment of Dutch horse guards during William's march from Tor Bay to London and was created Earl of Portland in April 1689. His 'Skill at Negotiation' was exerted in the Treaties of Partition (1698 and 1700). He was open to attack, therefore, both as a foreigner and as the supposed author of treaties which the Tories claimed had made dangerous and irresponsible concessions to the French (John Tutchin, *The Foreigners*, 1700, p. 10; *Some Reply to a Letter Pretended to be Writ to a Member of Parliament in the Country in Defence of the Treaty of Partition*, [March] 1701, p. 9; P.R.O. Transcripts, 3 (France) 187, f. 77$^{v}$). He was accordingly impeached on All Fool's Day in 1701, but no articles against him were ever exhibited. The sources of the classical analogue are Plutarch, *Phocion*, 17, 26–27, 32–35 and Diodorus, xviii. 18, 56.

*l.* 215. Polyperchon suggests John Churchill, Earl of Marlborough, whose 'Hatred to *Phocion* [Portland]' dates back to Portland's discovery of the Jacobite 'plot' for which Marlborough was stripped of his military command and sent to the Tower in May 1692. In June 1698, however, Marlborough was restored to the Privy Council and to his military honours, and appointed 'Governor' to the 9-year-old Duke of Gloucester, heir-apparent to his mother, the Princess Anne. In June 1701 Marlborough joined the Tory minority in the House of Lords in violent protests against dismissing the impeachment charges against Portland and the Whig junto. In the same month he was appointed commander-in-chief of the allied forces in Holland. Bonet reports that he was regarded 'comme un Espion que les Tories ont voulu avoir en Hollande pour les avertir de tout ce qui se passera' (B.M. Add. MS. 30000E, f. 251$^{v}$, 10 June 1701). The source of the classical analogue is Plutarch, *Phocion*, 32, but the detail, '*Polyperchon* . . . restored those whom *Phocion* had banished', is not in Plutarch. Plutarch says merely: 'Polyperchon was scheming to dispose the city in his own interests and had no hope of succeeding unless Phocion was banished; he was sure moreover that Phocion would be banished if the disenfranchised citizens over-

whelmed the administration and the tribunal was again at the mercy of demagogues and public informers.' Diodorus, however, quotes Polyperchon's edict, which says specifically 'we restore those who have been exiled or banished' (xviii. 56). It seems unlikely, therefore, that Swift would introduce a detail from Diodorus into an account which is mainly derived from Plutarch unless he attached some particular significance to this detail. And, while its exact significance may be impossible to recapture now, the general import is clear enough to suggest the conclusion that Swift doubted Marlborough's loyalty to the Revolution Settlement nine years before he began the attacks in the *Examiner*. The name Polyperchon was familiar to many of Swift's readers as one of the conspirators against Alexander in Nathaniel Lee's tragedy, *The Rival Queens*.

*l.* 232. Cf. I. 226 *n.* Despite this claim so 'confidently' made and repeatedly acknowledged by the House of Lords (*L.J.* xvi. 717, 759; *C.J.* xiii. 637), the right of impeachment was by no means 'inherent' in the House of Commons. The first case was tried in 1376. From 1450 to 1621 there were no impeachments at all (I. Naamani-Tarkow, *Political Science Quarterly*, lviii [1943], 558–9).

*l.* 238. [Diodorus Siculus,] *18.* [18] [Swift's marginal note].

*l.* 269. The 'two Men' are Laurence Hyde, Earl of Rochester, Lord Lieutenant of Ireland, and Sidney Godolphin, Lord Godolphin, 1st Lord of the Treasury, who were 'les principaux chefs' of the Tory ministry of 1700–1 (B.M. Add. MS. 17667uu, f. 364$^{v}$). In a debate of March 1701 Rochester had said that '"All Men ought to speak respectfully of Crown'd Heads," and ... He was seconded in this Complement to the *French* King by another Earl, who said, "The King of *France* was not only to be respected, but to be feared"' (Oldmixon, p. 223). The classical analogue is Polybius, v. 106: 'giving themselves up to the Counsels and Conduct of *Euryclidas* and *Micyon*, and secluding themselves from the Society of the other Cities of *Greece*; what Flatteries, what Decrees of Honours and Praise (led by the Weakness of their Governours) did [the Athenians] heap on the Neighbouring Kings' (Polybius, *The History ... Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, ii. 298).

*l.* 279. *Polyb.* [ii. 41–71, viii. 1, x. 21, xi. 9] [Swift's marginal note].

## CHAPTER III

*l.* 11. *Dionys. Halica.* [Swift's marginal note]. Dionysius nowhere states explicitly that prehistoric Italy was divided into 'petty Commonwealths' similar to Greek city-states. The source of this passage is Temple: '*Greece*, *Italy*, and *Sicily*, were all divided into small Commonwealths, till swallowed up and made Provinces by that mighty one of *Rome*' (*Miscellanea*, 1680, p. 48).

*l.* 33. Swift is again contradicting Davenant, who maintained that the greatest threat to the *existing* balance of power in England lay in the

encroachment of the Crown upon the rights of the Commons (*Essays upon I. The Ballance of Power*, [March] 1701, p. 100). Swift's contention that the danger lay in the encroachment of the Commons upon the power of King and Lords, besides being historically true, was also, of course, shared by the peers. L'Hermitage reported that 'Il ÿ a longtems que les seigneurs se plaignent, que les communes empietent tous les jours sur leurs prerogatives' (B.M. Add. MS. 17677uu, f. 202).

*l.* 37. Cf. Dionysius, i. 5: 'Rome . . . produced infinite examples of virtue in men whose superiors, whether for piety or for justice or for life-long self-control or for warlike valour, no city, either Greek or barbarian, has ever produced.' Temple also calls the Romans 'the Noblest Nation that appears upon any Record of Story' (*Miscellanea, The Second Part*, 1690, Essay I, p. 58).

*l.* 47. Swift reorients the allegory in a Roman setting by suggesting parallels between augury and the rule of English kings 'by the grace of God', and between the Roman *patres* and 'the Barons of *England* . . . after the Conquest'. The classical source is Dionysius, ii. 4–6, 8–10.

*l.* 54. Goldsmith recalled, rather wistfully, that 'When the great Somers was at the helm, patronage was fashionable among our nobility' (*An Enquiry into the Present State of Polite Learning*, 1759, p. 129).

*l.* 66. Before June 1701 the conduct of foreign affairs was the exclusive prerogative of the King. Tindal (iv. 223–4) states the case as follows: 'It is certain, that, by our Constitution, all foreign negotiations were trusted intirely to the Crown: That the King was under no obligation by law to communicate such secrets to his Council, or to hear, much less was he obliged to follow, their advice.' Davenant, however, had argued that 'Resolutions of War or Peace are part of the Executive Power' which the King wields 'in trust for the Whole', not by personal prerogative (*Essays upon I. The Ballance of Power*, [March] 1701, pp. 206–7). Defending royal prerogative, Swift points out that there was no *constitutional* requirement of consultation with the House of Commons, that it was only *gratia rei*. The Act of Settlement of June 1701 was in fact 'the first statutory encroachment on royal control of foreign policy' (Ogg, p. 468). The source of the classical analogue is Dionysius, ii. 12, 14.

*l.* 84. Tarquinius Priscus is Charles I. More than 40 per cent. of English peers in 1640 had been created by Charles. The source of the classical analogue is Dionysius, ii. 57–58; iii. 1, 36, 46, 67.

*l.* 89. 'Alluding to the great rebellion, and protectorship of Oliver Cromwell' (Scott, iii. 283). The offer of the Crown to Cromwell was made in May 1657. The source of the classical analogue is Dionysius, iii. 72–73; iv. 1, 8, 12.

*l.* 98. The classical source is Dionysius, iv. 22.

*l.* 110. Tarquin the Proud is James II. The source of the classical analogue is Dionysius, iv. 40–41, 84.

*l.* 120. Prior to June 1701 the royal prerogative included the right to remove judges at will. The first draft of the Declaration of Rights in February 1689 included a clause making judges' commissions *quam diu se bene gesserint* (*C.J.* x. 17), which narrowly missed inclusion in the Bill of Rights. The power to dismiss judges was finally transferred from the Crown to Parliament by the Act of Settlement of June 1701 (*C.J.* xiii. 401). The source of the classical analogue is Dionysius, iv. 84; v. 19. The Latin phrase derives from the translation of Gelenius: 'unam in qua diserte cavit nequis Romae gereret magistratum iniussu populi' (*Dionysii Alexandri F. Halicarnassen. Antiquitatum sive Originum Romanarum Libri X. Sigismundo Gelenio interprete*, Basel, 1549, p. 208).

*l.* 132. '*Tribunes of the People*' are the Tory party leaders. The inviolability of their persons alludes to the parliamentary privilege by which all members enjoyed freedom from arrest for debts during the sitting of parliament and forty days before and after. An act for limiting this privilege, which was outrageously abused, was passed in May 1701 and widely touted by Tory pamphleteers as one of the great achievements of William's 5th Parliament. Bonet explains why it was passed: the Commons, 'craignans la censure de leurs Representatifs qui ne sont pas contens de leur conduite, ont cru devoir se concilier l'amour du Peuple par un Loy qui est en sa faveur' (B.M. Add. MS. 30000E, f. 219). Defoe had already used the phrase 'Tribune of the People' to stigmatize a Tory demagogue in *The True-Born Englishman*, [December] 1700, p. 58. The source of the classical references is Dionysius, v. 53, 63; vi. 87, 89.

*l.* 141. Coriolanus suggests William's great Tory minister, Thomas Osborne, Earl of Danby, Marquis of Carmarthen, and Duke of Leeds, who had been impeached for bribery in April 1695. The House of Commons had failed to prosecute, however, and the charges against him were dismissed in June 1701, along with those against the Whig junto. The source of the classical analogue is Dionysius, vii. 18, 64–65; ix. 44.

*l.* 153. The '*conquered Lands*' are the confiscated estates of English and Irish Jacobites which William, whose 'greatest Infirmity', as Defoe said, 'was too much bounty', had granted in regal profusion to his foreign generals and favourites. In 1700 the Commons tacked to a Supply Bill a clause resuming title to the forfeited estates and vesting it in thirteen trustees. William was forced to give assent to this supply-*cum*-resumption Bill in April 1700 to avert a financial panic. See pp. 24–27, above. The source of the classical analogue is Dionysius, viii. 69–70; ix. 37, 51, 59.

*l.* 162. Appius Claudius Sabinus may be John Thompson, Lord Haversham, whom William appointed Lord of the Admiralty in June 1699. One of his speeches against the supply-*cum*-resumption Bill is reported by L'Hermitage (B.M. Add. MS. 17677UU, f. 202$^{v}$; Vernon, iii. 4). He also signed a

strong protest against the Bill when it finally passed (J. E. Thorold Rogers, *The Protests of the Lords*, 3 vols., Oxford, 1875, i. 140–2). Since Haversham was not impeached—although there were mutterings in the House of Commons about 'bills of supply with bills of attainder tacked to them'—he did not need to die in the high Roman fashion of his prototype. The course of the classical analogue is Dionysius, viii. 71, 73; ix. 42–45, 52–54; x. 32.

*l.* 176. *Dionys. Halica.* [x. 1, 15, 30, 34, 50] [Swift's marginal note]. Cf. Temple *Miscellanea*, 1680 pp. 54–55: 'in the forms of the old *Roman* State . . . Laws were made, and resolutions taken, *Authoritate Senatus*, and *Jussu populi*. . . . But when the People began to lose the general opinion they had of the *Patricians* . . . They then pretended to share with the Senate in the Magistracy, and bring in *Plebeians* to the Offices of chiefest Power and Dignity. And hereupon began those seditions which so long distempered, and at length ruined that State.'

*l.* 183. The phrase 'to give way also to Time' affords a striking example of how closely the *Discourse* is tied to contemporary political discussion. L'Hermitage uses the same phrase to explain why the Lords had not resisted the Commons' encroachments upon their privileges: 'Durant la guerre les seigneurs se sont contentes de faire des protestations, *en cedant au tems*, afin de ne pas causer dans des conjunctures si delicates des divisions qui auroient esté prejudiciables, et à la nation et aux affaires generales' (B.M. Add. MS. 17677uu, f. 202; italics added). In this paragraph as a whole, the 'Tribunes' are the Tory leaders in Commons and the 'Consuls' are the ministers, who were, of course, *partes corporis regis* and not responsible to Parliament. Swift is attacking the Commons' attempt to monopolize power and to wield the *summum imperium* unchecked by King or Lords. The source of the classical analogue is Dionysius, x. 34–35, 48–49, 51–52.

*l.* 192. Cf. I. 106–11. The source of the classical reference is Dionysius, x. 55–60.

*l.* 204. The classical sources are Dionysius, xi. 53, 61, and Livy, vi. 42.

*l.* 219. [Polybius,] *Frag. lib. 6.* [51] [Swift's marginal note].

*l.* 232. *Dionysius Hal.* [ii. 11], *Plutarch*, [*Tiberius Gracchus*, 19–20], *&c.* [Swift's marginal note]. Cf. Appian, *The Civil Wars*, i. 1–2.

*l.* 257. [Polybius,] *lib. 5.* [Swift's marginal note is in error, the correct reference is vi. 10]. Cf. Polybius, *The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 14–15: 'every Form of a *Republick* . . . [is] subject to Change, because it easily falls into [that] Vice, to which it has the most Natural Inclination. For as Rust and the Worm, are Natural to Iron and Wood, which do Corrupt and Destroy them, so that if they cannot be Destroyed by things happening from without, they Perish nevertheless by things drawn from themselves. Even so by the Order of Nature, some Vice or other is born in the Form of every State, and always

accompanys it, and is at length the occasion of its Ruine'; Temple, *Miscellanea, The Third Part*, [October] 1701, p. 20: 'Could we suppose a Body Politick, framed perfect in its first Conception or Institution, yet it must fall into Decays, not only from the Force of Accidents, but even from the very Rust of Time.'

*l.* 261. [Polybius,] *Fragm. lib.* 6. [9, 57] [Swift's marginal note]. Cf. Polybius, *The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 14, 75: 'if any Republick be Establisht and Augmented according to the Laws of Nature, it is chiefly the *Roman*, and will Change some time or other according to the same Method.' '*The Republic being thus chang'd, it may seem at first to be for the better; and perhaps it may take upon it the Specious and Illustrious Pretence of Liberty; but however, its supposed happy rest cannot continue long, being become subject to the Government of a blind Multitude, which without Dispute is the most Pernicious in the World. In short, having treated of the Establishment of the* Roman Republic, *its flourishing Estate, and its difference with all others, I shall proceed to speak of something else.*'

*l.* 266. Polybius did in fact 'pursue his conjectures so far' in vi. 9; cf. *The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 13: 'For the People . . . having met with a Bold and Couragious Leader . . . change the *Popular* State into one *Furious* and *Violent*, and being United into one Body, they demonstrate their Fury by Murders, Banishments, and by the Division of Lands; till such time they meet with some Body that usurps the Soveraign Rule and Power'; cf. Temple, *Miscellanea*, 1680, p. 49: 'Tyrannies . . . spring naturally out of Popular Governments.' Cf. I. 221 *n.*

*l.* 271. The source of this reference to the *lex Canuleia*, 445 B.C., is Livy, iv. 1–6. Temple observed a similar development in England (*Miscellanea, The Third Part*, [October] 1701, pp. 78–79).

*l.* 277. The gradual accession of the plebeian order to the chief offices of state is described in Livy, vi. 42 (consul); vii. 22 (censor); iv. 54 (quaestor); viii. 15 (praetor); vi. 17, vii. 1, x. 6–9 (priesthood); vii. 17 (dictator). The Tory pamphleteers were making similar demands: in August 1700 Vernon reported that 'Dr. Davenant is preparing a book against the Spanish treaty. I don't doubt but we shall have many records brought to prove that treaties are not to be made without the consent of Parliament. Some say there is but that, and the disposal of offices by Parliament, to bring us as near a commonwealth as they desire' (Vernon, iii. 132). Toland urged 'That the Advice of the Parliament be taken in appointing the Lord Chancellor, Treasurer, Admiral, or Commissioners for executing these Offices' (*Limitations for the Next Foreign Successor*, 2d ed., 1701, p. 11), and G. Sharp demanded that the House of Commons should appoint all 'the great Officers of the Realm' (*The Claims of the People of England, Essayed*, [July] 1701, pp. 26, 32).

*l.* 280. Swift probably refers to the *historiette* with which Charles Mordaunt, 3rd Earl of Peterborough, entertained the House of Lords during the bitter debate on the supply-*cum*-resumption Bill in April 1700. 'He compared the House to a man whose affairs are in disorder. Some one proposes that he should take a rich wife. Although the woman is a baggage, the man prefers to take her and live with a demon than to be exposed to the cruel necessities of life. Peterborough thought that the man was a wise one, and that the Lords would do well to follow his example and obtain security even at the expense of so distasteful a burden as a tack' (Bonet, B.M. Add. MS. 30000D, f. 124$^{v}$, quoted in A. S. Turberville, *The House of Lords in the Reign of William III* (Oxford Historical and Literary Studies, vol. iii), Oxford, 1913, p. 206).

*l.* 282. The reference is to the Tory attack on another royal prerogative, the power of veto. G. Sharp, for example, argued that, since he had sworn in his coronation oath to grant 'Leges istas quas vulgus elegerit', William could not veto acts of Parliament (*The Claims of the People of England, Essayed*, [July] 1701, pp. 40–41). This is an issue on which Swift later changed his mind. In his autobiographical fragment, written about 1727–9, he repeats this argument of Sharp's with apparent approval (*Prose*, v. 194). The source of the classical analogue is Livy, iii. 55. Cf. Aulus Gellius, xv. 27. 4.

*l.* 285. *Dionys. lib. 2.* [14] [Swift's marginal note]. Dionysius comments on this 'inversion' as follows: 'in our day the practice is reversed; the senate does not deliberate upon the resolutions passed by the people, but the people have full power over the decrees of the senate; and which of the two customs is better I leave to others to determine.' The Latin phrases derive from the translation of Gelenius: 'qui mos nostra aetate mutatus est. non enim senatus plebis scita, sed plebs senatus consulta suo assensu comprobat' (*Dionysii Alexandri F. Halicarnassen. Antiquitatum sive Originum Romanarum Libri X. Sigismundo Gelenio interprete*, Basel, 1549, p. 64).

*l.* 288. The source of the classical reference is Diodorus Siculus, xx. 36. Appius Claudius Caecus is, of course, neither the decemvir mentioned in I. 114 *n.* nor the grandson of the decemvir, mentioned in III. 162 *n.*

*l.* 298. The source of the classical analogue is Plutarch, *Titus Flamininus*, 18. Q. Terentius Culleo, 'who wanted to spite the nobility', forced the censors in 189 B.C. to eject four *patres* from the Senate and to receive into citizenship anyone who offered himself for enrolment.

*l.* 301. Publius Scipio Africanus and Lucius Scipio stand collectively for the impeached Whig lords whose 'mighty Services' are summarized in II. 254–63. Swift may have recalled Davenant's unguarded admission that 'Innocence has been sometimes oppressed by Faction. The *Scipios*, the two best Men that *Rome* ever bred, were brought to answer for themselves before the People' (*A Discourse upon Grants and Resumptions*, [November

1699, but dated] 1700, sig. [†2]). The source of the classical analogue is Livy, xxxviii. 50–60.

*l.* 306. 'The Age of the *Gracchi*' is the period of peace following the signing of the Treaty of Ryswick in September 1697. The Gracchi, generically, are the Tories in the House of Commons who successively dismissed William's Dutch Guards in 1699, resumed William's grants in 1700 (III. 153 *n.*), and managed the impeachment proceedings against William's Whig ministers in 1701 (I. 229 *n.*). They included Robert Harley, Sir Edward Seymour, Sir Christopher Musgrave, John Grubham Howe, Sir Bartholomew Shower, Simon Harcourt, and Charles Davenant. It is tempting to narrow down 'the elder *Gracchus*' and his 'younger Brother [who] pursued the same design' to Robert Harley and his younger brother, Edward, the M.P. for Leominster, but there is hardly enough evidence to do so. Robert Harley, however, was one of the managers for the supply-*cum*-resumption Bill, to which Swift alludes next, and Somers had already attacked the two brothers in print, in a book which Swift certainly read (*Jura Populi Anglicani, Or The Subject's Right of Petitioning Set Forth*, [August] 1701, p. viii). In casting the Gracchi as villains, Swift differs sharply from Temple, who characterized them as 'the truest Lovers of their Country', in a book which Swift was preparing for publication when he wrote the *Discourse* (*Miscellanea. The Third Part*, [October] 1701, p. 12). The source of the classical analogue is Plutarch, *Tiberius Gracchus*, 8, 14, 19, and *Caius Gracchus*, 5, 17.

*l.* 312. This was the private estate of James II, which William granted to his mistress, Elizabeth Villiers, in May 1695 (see pp. 22–23, above). The classical analogue is found in Livy, *Periochae*, 58.

*l.* 321. The House of Lords resolved on 23 June 1701 that the Commons' high-handed procedure in the impeachment of the Whig lords (I. 229 *n.*) 'manifestly tends to the destruction of the judicature of the lords; to the rendring trials on impeachments impracticable for the future; and to the subverting the constitution of the English government' (Luttrell, v. 64).

*l.* 327. It is not certain that Swift intended the tribune L. Appuleius Saturninus to represent any contemporary figure. England had already experienced something very similar to the *leges Appuleiae* of 100 B.C. In January 1649 the Rump resolved 'That the People are, under God, the Original of all just Power, [and] that whatsoever is enacted, or declared for Law, by the Commons, in Parliament assembled, hath the Force of Law; and all the People of this Nation are concluded thereby, although the Consent and Concurrence of King, or House of Peers, be not had thereunto' (*C.J.* vi. 111). Swift may simply be indicating the direction which he believed events were taking in 1701: toward the penultimate imbalance, a *Dominatio Plebis*. The source of the classical analogue is Plutarch, *Caius Marius*, 29.

*l.* 332. Sir Humphrey Mackworth claimed that the right of judicature of

the House of Lords was *not* '*an inherent Right by the Law of Nature*' but 'a subsequent *Right by Institution*' (*A Vindication of the Rights of the Commons of England*, [August] 1701, p. 33). Sir Bartholomew Shower went even further and 'treated it in a Speech publickly in the *Middle Temple* Hall, as a down right Usurpation' (*The True Patriot Vindicated*, [August] 1701, *recto*). The source of the classical analogue is Plutarch, *Caius Marius*, 4.

*l.* 338. The source of the classical reference is Appian, *The Civil Wars*, i. 100.

*l.* 339. Plutarch, *Caesar*, 13.

*l.* 366. Swift may have in mind Temple's parable about the ship bound to sea with a great cargo and 'a numerous Crew who have a Share in the Lading', but who refuse to 'stand to their Tackle, hand Sails, or suffer the Pilot to steer as he pleases'. Inevitably 'they must come at last to fall together by the Ears, and so throw one another over-board and leave the Ship in the Direction of the Strongest' (*Miscellanea. The Third Part*, [October] 1701, pp. 90–92).

*l.* 391. Pompey's *lex de ambitu* refers to An Act for appointing and enabling Commissioners to take, examine, and state, the Publick Accompts of the Kingdom, which received royal assent in January 1691 (*C.J.* x. 536). The origin and nature of the Act is explained by Burnet (ii. 65): 'Some indeed began to complain of a mismanagement of the Publick Money; but the [Danby] Ministry put a stop to that, by moving for a Bill, empowering such, as the parliament should name, to examine into all Acounts, with all particulars relating to them; giving them authority to bring all persons that they should have occasion for, before them, and to tender them an Oath, to discover their knowledge of such things, as they should ask of them. This was like the power of a Court of Inquisition.' Just as the friends of Julius Caesar suspected that Pompey's law was intended to cast suspicion on Caesar (Appian, *The Civil Wars*, ii. 23), so David Ogg has surmised that the Act of 1691 was directed against William: 'The institution of such a commission may have implied suspicion, not so much of the Treasury, as of the Court; for it was through places and pensions that the crown maintained majorities in the House; and it was mainly through this commission that a minority in the Commons was able to direct its opposition to Court measures' (Ogg, p. 341). The names of two candidates for the Commission which the Commons had voted for in June 1701 were struck from the list in the House of Lords: Sir Bartholomew Shower 'for being a lawyer and having other business to do', and Dr. Charles Davenant 'for abusing the church in his last book (*Essays upon I. The Ballance of Power*], which says men were preferred for being socinians' (Vernon, iii. 150). But the Bill was lost when William prorogued Parliament the next day. The source of the other references to Pompey is Plutarch, *Pompey*, 22, 25, 30. Swift's attitude toward this affair is identical with that of Cato, who urged Pompey 'to ignore the past and give his attention to the future,' for it would not be easy

to fix the point at which the investigations of past transgressions should stop and *ex post facto* justice is abhorrent to law (Plutarch, *Cato*, 48).

*l.* 399. Caesar, *The Civil Wars*, i. 1–5.

*l.* 404. Caesar, *The Civil Wars*, i. 7, 15.

*l.* 413. Plutarch, *Pompey*, 60–61.

*l.* 442. Appian, *The Civil Wars*, iii. 50–51, 63–66, 82–93. The chief of 'those Patriots' was Marcus Tullius Cicero, whom Swift, in the first paragraph of Chapter IV, calls one of 'the wisest Men and best Authors of these Times'.

*l.* 456. Cicero, *Letters to Brutus*, i. 16 (*The Correspondence of M. Tullius Cicero*, ed. Robert Y. Tyrrell and Louis C. Purser, 7 vols., Dublin and London, 1899, vi. 153).

## CHAPTER IV

*l.* 6. Cf. I. 226 *n.*

*l.* 14. The source of the classical reference is Cicero, *The Republic*, iii. 13: 'But if the people hold the supreme power and everything is administered according to their desires, that is called liberty, but is really licence.'

*l.* 21. Sir John Fortescue, *De Laudibus Legum Angliae*, 1616, p. 4 (of separately paginated notes).

*l.* 52. Even Edward Harley acknowledged that the impeachments of 1701 'tended only to expose the personal malice and folly of the impeachers'. But his assurance that his brother, the Speaker, 'endeavoured by all means to prevent ... this unhappy step' is not confirmed by less partial witnesses (H.M.C. Portland MSS. v. 646). Vernon (iii. 88) mentions Robert Harley's personal grudge against Somers as early as June 1700. Harley was not only a member of the secret committee that managed the impeachments (*C.J.* xiii. 491), but he even pleaded passionately on the floor of the House, 'contre sa prudence ordinaire', as Bonet observed, for Somers's impeachment. In another dispatch Bonet describes Harley's harassing tactics when Somers appeared in the Commons to answer the charges against him (B.M. Add. MS. 30000E, ff. 121, 143). Vernon explained (iii. 144) that 'these heats don't arise upon the subject matter, but are resolutions formed to take any occasion for excluding those they have so great an aversion to from ever coming into power again'.

*l.* 55. Cf. II. 201 *n.*

*l.* 57. While Swift was writing, William III was at the Mauritshuis negotiating the Grand Alliance 'for preserving the liberties of Europe, and reducing the exorbitant power of France' (Luttrell, v. 72). War with France had seemed inevitable since November 1700 when Louis XIV

tore up the Second Partition Treaty and claimed the entire Spanish inheritance for his second grandson (who was crowned Philip V of Spain). Cf. V. 61 *n.*

*l.* 66. Cf. II. 95 *n.*, 107 *n.*, 140 *n.*, 206 *n.* 'Though in other passages [cf. II. 126 *n.*], Lord *Orford*'s character is supposed to be drawn under the name of *Themistocles*, yet he seems to be represented by *Miltiades* here, for *Themistocles* was not impeached at all' (Hawkesworth, iii. 60).

*l.* 74. Cf. Thucydides, viii. 549; Diodorus Siculus, xi. 87; Livy, xxxviii. 60; Plutarch, *Alcibiades*, 25, 32; Temple, *Miscellanea. The Third Part*, [October] 1701, p. 12.

*l.* 77. Heb. xii. 1.

*l.* 83. Cf. Temple, *Miscellanea. The Third Part*, [October] 1701, pp. 28–30: 'The Needy, the Ambitious, the Half-witted, the Proud, the Covetous, are ever restless to get into publick Employments. . . . In the mean time, the Noble, the Wise, the Rich, the Modest, those that are easie in their Conditions or their Minds, those who know most of the World and themselves, are not only careless, but often averse from entring into Publick Charges or Employments.'

*l.* 89. Plato, *The Republic*, vii. 520D–521A.

*l.* 91. [Xenophon,] *Memorab. lib. 3.* [7] [Swift's marginal note]. Allen cites Temple, *Miscellanea. The Third Part*, [October] 1701, pp. 14, 29.

*l.* 101. [Diodorus Siculus,] *lib. 11.* [87] [Swift's marginal note].

*l.* 108. Cf. Bonet: 'La verité est qu'il n'y a aucune accusation importante à alleguer contre ces deux Lords [Somers and Russell]' (B.M. Add. MS. 30000E, f. 233). Poussin observed that the charges against Montagu 'se réduisent à six articles assez faibles' (P.R.O. Transcripts, 3 [France] 188, f. 94). No articles were exhibited against Portland.

*l.* 114. This old Divine Right slogan (G. N. Clark, *The Seventeenth Century*, 1929, p. 223) took on a new signification when it was appropriated by Tory pamphleteers to justify the encroachments of the House of Commons upon the power of King and Peers. Cf. John Toland, *Anglia Libera*, [June] 1701, p. 26: 'there is not Title equal to their Approbation, which is the only divine Right of all Magistracy, for *the Voice of the People is the Voice of God*.'

*l.* 115. On 29 Mar. 1701 a motion to impeach Somers was defeated 189–182 (Luttrell, v. 33). Only two weeks later the same motion was carried 198–188 (*C.J.* xiii. 489).

*l.* 117. Cf. [G. Sharp,] *The Claims of the People of England, Essayed*, [July] 1701, p. 97: 'managing a Party . . . is no better an Art, than packing the Cards or cogging the Dice.'

*l.* 128. Cf. III. 280 *n.*

*l.* 129. Cf. [John Toland,] *The Art of Governing by Parties*, [February] 1701, p. 84: '. . . Justice made a mere Property to be bought and sold.'

*l.* 137. The lords themselves discovered that 'their kind intentions of maintaining a good correspondence with the commons . . . had no other effect, but to introduce greater impositions upon them' (*Parl. Hist.* v. 1220).

*l.* 174. Swift is contradicting Sir Humphrey Mackworth, *A Vindication of the Rights of the Commons of England*, [August] 1701, p. 30: 'it is not to be imagin'd that a Majority of so numerous a Body of Gentlemen, can be Influenc'd against Reason and Justice.'

*l.* 182. Allen cites Temple, *Miscellanea. The Third Part*, [October] 1701, pp. 32–33: 'The Practice begins of Knaves upon Fools, of Artificial and Crafty Men, upon the Simple and the Good; these easily follow, and are caught, while the others lay Trains, and pursue a Game, wherein they design no other Share, than of Toil and Danger to their Company, but the Gain and the Quarry, wholly to themselves.'

## CHAPTER V

*l.* 21. Cf. Temple, *Miscellanea. The Second Part*, 1690. Essay I, p, 29: '. . . no more than Life can, beyond the period to which it was destined, by the strength or weakness of the seminal Vertue.'

*l.* 24. Cf. Polybius, vi. 57: 'There are two things, by which *all Republicks perish, and come to nothing*. The *Ill* which comes from with[out] it, and the *Evil* engendred within them' (*The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 74); Temple, *Miscellanea*, 1680, p. 1: 'The Decay and Dissolution of Civil, as well as Natural Bodies, proceeding usually from outward Blows and Accidents, as well as inward Distempers or Infirmities.'

*l.* 31. John Toland imagined that 'the Commonwealth of *Oceana* having no Factions within, and so not to be conquer'd from without, is therefore an equal, perfect, and immortal Government' (*The Oceana of James Harrington Esq; And His Other Works . . . with an Exact Account of his Life Prefix'd by J. Toland*, [August] 1700, p. xxxix). Dr. Charles Davenant, 'the *State-Physician*', concurred in the prognosis: 'Commonwealths, well founded, would be Eternal' (*Essays Upon I. The Ballance of Power*, [March] 1701, sig. R3r).

*l.* 43. Cf. *Aesop in Select Fables*, 1698, sig. D5r: '*If there be no* Mysteries in Christianity, *it seems there are some in* Policy; *when* Jacobites *and* Commonwealths men, *who have mutually branded one another with the harshest Names that Malice and Rancour could invent, should now unite in a Design against the present Government, as a common Centre.*'

*l.* 49. Even 'that pestilent Disease, the Lethargy', as Swift called it in *A Tale of a Tub* (*TT*, p. 49), became a partisan issue in 1701. See p. 30, above. The Whigs complained about the Tories' 'Lethargy' in voting supplies for the impending war, and the Tories complained about the Whigs' 'Lethargy' in prosecuting the impeached lords. 'This State Lethargy', Davenant exclaimed, 'is such an Apoplectick Symptom, as is commonly the Forerunner of Death to the Body Politick' (*Essays upon I. The Ballance of Power*, [March] 1701, p. 1). G. Sharp picked up the cry 'to awaken [his] drowzy Country-men out of this seemingly fatal Lethargy' (*The Claims of the People of England, Essayed*, [July] 1701, p. 6). And as late as January 1702 a Whig pamphlet complained that 'plausible Arguments of *What need we Fight other Mens Quarrels*, and *We are in no Danger*, have lull'd the People into a Lethargy' (*A Modest Defence of the Government*, [January 1702, but dated] 1701, p. 15). The Biblical phrase is from John xi. 4.

*l.* 51. *Lucr*[etius, *De rerum natura*, v. 107–8] [Swift's marginal note].

*l.* 61. Cf. IV. 57 *n.* Bonet reported in February 1701 that while Louis XIV was moving 60,000 men into the Lowlands and building landing barges in all the ports facing England, the House of Commons amused itself by hearing evidence of election frauds (B.M. Add. MS. 30000E, f. 61v). In March Louis reimposed the war-time capitation tax. In April he recalled his ambassador, Tallard, from London and in September, upon the death of James II, he recognized James Francis Edward, the pretended Prince of Wales, as James III, King of England, in direct violation of the Treaty of Ryswick.

*l.* 68. Swift may refer to the anonymous Tory who wrote *Remarks upon The Two Great Questions, Part II*, [January] 1701. Defoe identifies the author of these 'common places' as a 'Creature' of Harley: ''Twas a Creature of your Speakers', and a fawning Dependent upon the Party, who scribling for Favour, had the Impudence to affirm in Print, *That Leagues and Confederacies, Allies and Foreign Treaties were useless and insignificant to England: that we were an Island separated from the rest of the World, independent of any Body: And if all the World Leagu'd against us, if we were true to ourselves we need not care. As to our Trade, our Manufactures had the Command of the World, and wou'd force their way, and our Fleet could protect and continue our Trade in spight of all Mankind; and that the concern we had in the safety of our Neighbours, was only pretence to raise Armies to Enslave us at home*' (*Legion's New Paper*, [November? 1701, but dated] 1702, p. 9).

*l.* 74. Swift flatly contradicts Temple: 'The Nature of Man seems to be the same in all times and places' (*Miscellanea*, 1680, p. 45).

*l.* 86. Davenant had conceded that the House of Commons wielded very little power under James I, who forbade them 'to meddle with any thing

concerning his Government or deep Matters of State' (*Essays upon I. The Ballance of Power*, [March] 1701, p. 201).

*l.* 92. 'Thus it appears that the antient Foundation of the English Monarchy was remov'd in the Reign of K. *Henry* the Seventh; and the overbalance of Lands falling from the Lords to the Commons, 'tis evident that the Monarchy has ever since stood, not upon an Aristocratical, but a Popular Foundation' (*A Letter Humbly Addrest to the Most Excellent Father of His Country, the Wise and Virtuous Prince, King William III*, 1698, p. 6); '*Henry VII* . . . made the first material Change in our Constitution, by giving way to Laws whereby the Ballance of Property came to be on the People's side' (Charles Davenant, *Essays upon I. The Ballance of Power*, [March] 1701, pp. 226–7).

*l.* 98. Cf. Davenant, *Essays upon I. The Ballance of Power*, [March] 1701, p. 227: 'His Son *Henry VIII*, went farther towards altering the ancient Ballance of Property, by putting into the Hands of Laymen the Church Lands'; John Toland, *Anglia Libera*, [June] 1701, p. 19: 'the Overballance of Property (and consequently of Power) fell into the Scale of the Commons, where it seems to be now wholly fixt.'

*l.* 101. Swift follows Temple (*Miscellanea. The Third Part*, [October] 1701, pp. 46–47) in dating this period of ideal equilibrium some fifty years earlier than Davenant, who puts it 'towards the latter end of King *James* I' (*Essays upon I. The Ballance of Power*, [March] 1701, p. 234).

*l.* 105. Cf. Temple, *Miscellanea. The Third Part*, [October] 1701, pp. 47–48: 'before the End of [Elizabeth's] Reign, began a new Faction in the State to appear and swell against the establish'd Government of the Church, under pretence of a further Reformation. . . . These Oppinions or Pretences divided the Nation into Parties, so equal in Number or in Strength, by the Weight of the Establisht Government on the one hand, and the popular Humour on the other, as produced those long Miseries, and fatal Revolutions of the Crown and Nation, between 1641 and 1660.'

*l.* 113. '*Charles* II and *James* II' (Hawkesworth, iii. 73).

*l.* 118. Cf. Temple, *Miscellanea*, 1680, p. 49: 'the meaner sort of the people . . . running easily from one extream to another'; [William Stephens,] *A Letter Humbly Addresst to the Most Excellent Father of His Country, the Wise and Victorious Prince, King William III*, 1698, p. 17: 'People commonly run out of one extream into another.'

*l.* 120. By 'Popularity', of course, Swift means 'a *Dominatio Plebis*, or *Tyranny of the People*'. Burnet (ii. 247) makes a similar observation upon the events of 1700: 'we were falling insensibly into a Democracy.'

*l.* 124. Cf. I. 215 *n.* The House of Commons' refusal to define its powers and privileges was a common source of complaint among Whig writers; cf. *Jus Regium: Or, The King's Right to grant Forfeitures*, [April] 1701, p. 44: '"Tis hard to say what Parliaments cannot do: The Boundaries of their

Power not being fix'd, 'tis difficult to determine when 'tis carry'd beyond the utmost extent of its Tether.' One of the replies to the *Discourse* deplores 'those unthinking, or evil dispos'd Persons, who make such an unreasonable Clamour to have the Rights and Priviledges of the House of Commons settl'd and determin'd' ([James Drake,] *The History of the Last Parliament*, [January] 1702, p. 143).

*l.* 130. 'Mr. James Harrington, who, in the time of the Commonwealth, published an Utopian scheme of government, entitled, The Commonwealth of Oceana. Several speculative persons, and among others Mr. Henry Neville, embraced his visions as realities, and held a club called the Rota, in Palace Yard, Westminister, to consider of means to make his plan efficient. One article was, that a part of the senate should go out by rote, and become incapable of serving for a certain time' (Scott, iii. 305).

*l.* 136. The reference is to Jude 13–16, describing the ungodly: 'These are . . . Raging waves of the sea, foaming out their own shame. . . . These are murmurers, complainers, walking after their own lusts; and their mouths speaketh great swelling words, having men's persons in admiration because of advantage.' Cf. Temple, *Miscellanea*, 1680, p. 50: 'the rage of [the] people is like that of the Sea, which once breaking bounds, overflows a Countrey with that suddenness and violence, as leaves no hopes either of flying or resisting, till with the change of tides or winds it returns of it self.'

*l.* 138. Job xxxviiii. 11.

*l.* 147. 'Pride the Brewer, Hewson the Cobler, and such other upstarts as the civil war had called into eminence, were summoned to this Upper House by writ' (Scott, iii. 306). The Biblical reference is to Isa. xlv. 9.

*l.* 157. Cf. IV. 174 *n.*

*l.* 164. Cf. *A Tale of a Tub*: 'For, the Brain, in its natural Position and State of Serenity, disposeth its Owner to pass his Life in the common Forms, without any Thought of subduing Multitudes to his own *Power*, his *Reasons*, or his *Visions*; and the more he shapes his Understanding by the Pattern of Human Learning, the less he is inclined to form Parties after his particular Notions; because that instructs him in his private Infirmities, as well as in the stubborn Ignorance of the People' (*TT*, p. 171).

*l.* 191. Cf. *A Tale of a Tub*: 'all the Virtues that have been ever in Mankind, are to be counted upon a few Fingers, but his Follies and Vices are innumerable, and Time adds hourly to the Heap' (*TT*, p. 50).

*l.* 197. Horace, *Odes*, ii. 1. 6.

*l.* 203. Cf. *A Tale of a Tub*: 'Let us therefore now conjecture how it comes to pass, that none of these great Prescribers, do ever fail providing themselves and their Notions, with a Number of implicite Disciples. And, I think, the Reason is easie to be assigned: For, there is a peculiar *String* in the Harmony of Human Understanding, which in several Individuals is exactly of the same Tuning. This, if you can dexterously screw up to its

right Key, and then strike gently upon it; Whenever you have the Good Fortune to light among those of the same Pitch, they will by a secret necessary Sympathy, strike exactly at the same Time' (*TT*, p. 167); *A Discourse Concerning the Mechanical Operation of the Spirit:* 'Mean while, the Preacher is also at work; He begins a loud Hum, which pierces you quite thro'; This is immediately returned by the Audience, and you find your self prompted to imitate them, by a meer spontaneous Impulse, without knowing what you do' (*TT*, p. 275).

*l.* 204. Horace, *Epistles*, i. 19. 19.

*l.* 207. Cf. Polybius, vi. 5: '[Among animals] the most Stout and Robust... Bulls, Stags, Wolves, serve them for Conductors and Leaders; and 'tis most probable that Men at first did the same thing when they were got together, and followed those Leaders who had the most Courage, and possess'd themselves of what they were capable of effecting, which you may justly call Power' (*The History . . . Translated by Sir H[enry] S[heeres]*, 2nd ed., 3 vols. in 2, 1698, iii. 8–9).

*l.* 212. Cf. '[if] being of a Party, is to be the Principal, if not the only Recommendation, then the Hottest Men, who are generally the Worst and Corruptest Members of it, are sure to have the most Power' (Davenant, *A Discourse upon Grants*, [November 1699, but dated] 1700, p. 36); 'All regard of Merit is lost in Persons imploy'd, and those only chosen, that are true to the Party; and all the Talent required, is, to be Hot, to be Heady, to be Violent' (Temple, *Miscellanea. The Third Part*, [October] 1701, pp. 34–35).

*l.* 227. This cant phrase of the Tory pamphleteers (cf. *The Duke of Anjou's Succession Consider'd*, [January] 1701, p. 55; [John Toland,] *Limitations for the Next Foreign Successor*, 2d ed., 1701, p. 5) had already been noticed in the Whig literature (cf. *The Present Disposition of England Considered*, [January] 1701, p. 11; *Jus Regium: Or, The King's Right to Grant Forfeitures*, [April] 1701, p. 11).

*l.* 228. Clodius suggests Sir Edward Seymour, 'The Chuffer', whose arrogance and instability had been remarkable over a long career. He was Speaker of the House of Commons in 1673–8 and chief manager of the supply-*cum*-resumption Bill in 1700. A Whig broadside asked 'Whether there ever was a Life more uniform and of a piece, than Sir E—— S——'s! Alike ill-manner'd, ill-natur'd and insolent; alike corrupt, whether in or out of the Chair, whether in or out of Favour; the same Enemy to his Country, when pretending to the Name of Patriot, and when ridiculing it' (*Some Queries, which may deserve Consideration*, [August] 1701, *verso*). In May 1701, while Seymour was serving as chairman of a committee to draw up a Bill for preventing Bribery and Corruption in Boroughs (*C.J.* xiii. 416), letters from one James Buckley were introduced into the hearings revealing that Seymour had promised a new organ for the parish church at Totnes, if he were reelected. Buckley was ordered to be taken into the

custody of the Serjeant-at-arms, and imprisoned in the Gate House along with the Kentish petitioners (B.M. Add. MS. 30000E, f. 202v; P.R.O. Transcripts, 3 [France] 188, f. 435). But as a consequence, Seymour had already been identified in print with Juvenal's Clodius: 'But (*Clodius accusat Maechos*) Sir *Edward Seymour* is in pursuit after the Detection of Bribery!' (*Remarks by Way of Answer, Paragraph by Paragraph, to The Character of a Modern Whig*, [September] 1701, p. 26). Swift's source is Plutarch, *Pompey*, 46: 'Among these [popular tribunes] the boldest and vilest was Clodius.' Swift presumably met Seymour in September 1700, when Seymour was lavishly entertained by the lords justices in Dublin Castle (B.M. Add. MS. 30000D, f. 280).

*l.* 230. Curio suggests Dr. Charles Davenant, whose curious learning was a standing joke: 'he has taken a great deal of pain in hunting for *Knowledge that lies under abundance of Rubbish*' (Davenant's own phrase, quoted in *Jus Regium: Or, The King's Right to Grant Forfeitures*, [April] 1701, p. 17); how Davenant was brought to 'Philippize' is described above, pp. 73–79.

*l.* 239. Diodorus Siculus, xii. 17. In Diodorus, Charondas is the law-giver of the Thurians, who were successors to the Sybarites (Diodorus, xii. 9–10). Swift may have been influenced to make this slight change by Bentley's 'discovery of another Counterfeit', namely, that '*Charondas* was no THURIAN' (Richard Bentley, *A Dissertation upon the Epistles of Phalaris*, 1699, pp. 345, 363). Montaigne recounts the same story in his essay 'Of Custom': 'The Legislator of the *Thurians* ordain'd, That whosoever would go about either to abolish old Laws, or to establish new, should present himself with a Halter about his Neck to the People; to the end, that if the Innovation he would introduce should not be approv'd by every one, he might immediately be hanged' (Michel de Montaigne, *Essays . . . Made English by Charles Cotton*, 3 vols., 3rd ed., 1700, i. 165).

*l.* 249. Allen cites Temple, *Miscellanea. The Third Part*, [October] 1701, p. 39: 'The first Safety of Princes and States, lies in avoiding all Councils or Designs of Innovation.'

*l.* 252. Cf. Burnet (i. 268, 382): 'The chief men that promoted this [a parliamentary committee appointed December 1668 for examining the accounts of funds voted for the 2nd Dutch War], were taken off, (as the word then was for corrupting members)'; 'They had taken off the great and leading men'; *A Tale of a Tub*: 'there has been much Thought employ'd of late upon certain Projects for taking off the Force and Edge of those formidable Enquirers. . . . This is the sole Design in publishing the following Treatise, which I hope will serve for an Interim of some Months to employ those unquiet Spirits' (*TT*, pp. 39–41).

*l.* 257. The persons who 'began' this distinction were Whigs, during the crisis over the Exclusion Bills in 1679–81. Their purpose was to establish ministerial responsibility. 'For his public acts of state, as distinct from his

private deeds, the king needed a minister; and, so long as the king had the initiative, the minister might shelter himself under the cloak of the royal command. It was in order to deprive the minister of this shelter that the Whigs revived the old lawyers' fiction: *The king can do no wrong*. This maxim had at first meant little more than that, for every wrong, the subject has a remedy in the king's courts; it was now applied to matters of state in such a way that the fictive innocence of the king was postulated in order to ensure the responsibility of the minister' (Ogg, p. 506). In 1699–1701, however, the Tories eagerly appropriated this doctrine to themselves, to use as a weapon against the Whig ministers. Bonet had observed that, when Somers appeared in the House of Commons to answer the impeachments charges against him, he justified himself 'au depends du Roy' (B.M. Add. MS. 30000E, f. 143$^{v}$), and the Tories were willing to 'leave it to the World to judge, who has most Distrust of *His Majesty* . . . those that distinguish betwixt *His Majesty* and His Ministers, those that adhere to the true Maxim of our Government, *That the King can do no Wrong*, or those that to excuse their own Crimes would lay all the Blame on Him' (*The Several Proceedings and Resolutions of The House of Commons in Relation to the Dangers that Threaten England, And the Liberties of Europe, From the late Succession to the Crown of Spain*, [July?] 1701, Preface).

*l.* 282. Cf. *A Tale of a Tub*: 'all their *Belches* were received for Sacred, the Sourer the better, and swallowed with infinite Consolation by their meager Devotees' (*TT*, p. 154).

*l.* 289. The 5th Parliament of William III was prorogued on 24 June 1701. Swift must have been writing in July or August.

*l.* 298. Cf. Davenant's similar observation in *The True Picture of a Modern Whig*, [August] 1701, p. 8. One of the 'Under-Spur-Leathers to the late Ministry' is made to say to the other: 'You had got a good Share of the Mob of your Side, even against a House of Commons, which hardly ever happened before in England.'

*l.* 300. See pp. 65–66 above.

*l.* 302. This reaction in the House of Commons to the unfavourable public reception of the imprisonment of the Kentish Petitioners is confirmed by the diplomatic residents in London: 'Le Parlement a été assez intimidé de la requeste presentée au nom de la province de Kent, bien qu'elle ne soit signée que de cent cinquante personnes, toutes du party whigg' (P.R.O. Transcripts, 3 [France] 188, f. 59$^{v}$); 'on dit qu'il ÿ en a plusieurs, qui ne vont pas plus dans les maisons à café, pour eviter les criailleries et de peur d'estre insultes' (B.M. Add. MS. 17677ww, f. 255$^{v}$). Defoe made similar claims for the Legion *Memorial*, '*that Paper* which frighted Mr. *P.* and Mr. *H*[*arcour*]*t*, and several others into the Country; *that Paper* which Mr. *Howe*, in a lamentable Tone, told the House, made him, *from the sense of his own Guilt*, afraid' (*Legion's New Paper*, [November? 1701, but dated] 1702, p. 4).

*l.* 309. Cf. V. 228 *n.*, 230 *n.*

*l.* 322. It was widely represented that the French could land 20,000 troops anywhere in Kent on a Monday, march on London, hear high mass in St. Paul's on Sunday, and dissolve Parliament the Monday following (*The Apparent Danger of an Invasion*, 1701, p. 3). It was to prevent this that the Kentish Petition urged the Commons to vote supplies so 'that his most sacred Majesty . . . may be enabled powerfully to assist his Allies before it is too late'. Bonet remarked that this was the first occasion 'dont les Annales d'Angleterre fassent mention, où le peuple a demandé d'être taxé' (B.M. Add. MS. 30000E, f. 346ᵛ).

*l.* 328. As early as March 1689, William complained to Halifax that 'the Commons used him like a dog' (*The Life and Letters of Sir George Savile, Bart., First Marquis of Halifax*, ed. H. C. Foxcroft, 2 vols., 1898, ii. 207). In January 1699, when the Commons refused to allow him to retain the Dutch Guards even after he had made a personal appeal, it was only with difficulty that the King was prevented from abdicating (*Parl. Hist.* v. 1192–6; Ogg, p. 450). And in May 1701, when £100,000 was lopped from the budget for His Majesty's household, John Ellis concluded that the Tory ministry had so little control over their party in the House of Commons that they were not able 'to restrain them from doing unreasonable & Extravagant things only to lessen the king' (B.M. Add. MS. 7074, f. 15). Cf. pp. 22–23, above.

*l.* 344. This was An Act for preventing of Charge and Expence in the Election of Members to serve in Parliament, which received royal assent on 21 Jan. 1696. The bribing of electors, none the less, continued on an increasingly large scale. One of Harley's henchmen complained in January 1701 that electors were demanding £40–50 for a vote (H.M.C. Portland MSS. iv. 13). Swift, in this 'very unreasonable Paradox', is not defending corrupt elections, but William's influence in elections, for, as Paul de Rapin Thoyras observed, 'Everybody that is in the least acquainted with England, must know how much influence the court has in elections' (*Dissertation sur les Whigs et les Torys*, trans. John Ozell, 1717, p. 42). The King told Burnet that 'he hated it as much as any man could do; But he saw, it was not possible, considering the Corruption of the Age, to avoid it, unless he would endanger the whole' (Burnet, ii. 42).

*l.* 350. The 'late Parliament' was the 4th of William III, which sat from 6 Dec. 1698 to 19 Dec. 1700 and in which a coalition of 'Wiggs mescontents et Tories' reduced the standing army to the dangerously low level of 7,000, dismissed William's Dutch Guards, and resumed William's grants of forfeited Irish estates.

*l.* 359. Suetonius, *De vita Caesarum*, I. xix. Swift's memory is faulty. The 'Crisis' was the consular election of 59 B.C. The bribery which Cato justified was that on behalf of the *optimates*' candidate, Marcus Bibulus, against Lucius Lucceius, who had the support of both Pompey and Caesar.

*l.* 367. Cicero, *Letters to Atticus*, ii. 1. 8 (slightly misquoted); the Teubner text reads: 'tamquam in Platonis *politeia*, non tamquam in Romuli fæce' (*The Correspondence of M. Tullius Cicero*, ed. Robert Y. Tyrrell and Louis C. Purser, 3rd ed., 7 vols., Dublin and London, 1904, i. 249).

*l.* 386. This was a common complaint; cf. *Now or Never: Or, A Looking-Glass for the Representatives of the People*, [November] 1701, p. 20: 'From *No-body to Some-body* (says a late Author) *is such a Violent stride, that Nature, which hath the Negative Voice, will not give her Royal Assent to it.*'

*l.* 391. Cf. 'The very Foundations of our Liberties have been struck at, by the Audacious Attempts that some Persons have lately made to Bribe and Corrupt the Buroughs, in their Election of Members for this Parliament [the 5th of William III]' (Davenant, *Essays upon I. The Ballance of Power*, [March] 1701, p. 45).